

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

20 WRIT PETITION NO.5832 OF 2014

SHANKAR SITARAM KAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Pahune Patil Nandkishor
J.
Mrs. AV Gondhalekar, AGP for Respondents: 1 to 3.

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 18th JUNE, 2015.

PER COURT :

1) Heard. The petitioner contends that the land belonging to the petitioner has been taken in possession by the respondents for public purpose by initiating the proceedings under the Land Acquisition Act, 1894 (for short, the said Act).

2) The petitioner has tendered an application to the Collector for determination of the amount towards rental compensation. However, the application tendered by the petitioner has not been decided. The petitioner also contends that while declaring the Award, he has not been paid interest receivable under Section 34 of the

said Act and that he is entitled to receive the interest in accordance with the provisions of the Act.

3) In the facts and circumstances, this petition can be disposed of by directing Respondent Nos. 2 and 3 to take decision on the application tendered by the petitioner on 3rd of January, 2014, as expeditiously as possible and preferably within a period of four months from today. If the petitioner is held entitled to receive the amount of rental compensation as well as benefits under Section 34 of the said Act, Respondent No.4 is directed to pay the amount, so determined, as expeditiously as possible and preferably within a period of four months from the date of such decision.

4) With the directions, as above, the writ petition is disposed of.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/