

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.5012 OF 2012

Karbhari Sopan Nagargoje,  
age: 55 years, occu: Agril  
R/o Yawalwadi Pargaon (Humra)  
Tq. Patoda, Dist. Beed

Petitioner

Versus

1 The State of Maharashtra  
through the Secretary,  
Revenue & Forest Department  
Mantralaya, Mumbai 32

2 The Collector, Beed  
District: Beed

3 The Special Land Acquisition Officer,  
Minor Irrigation Beed  
District: Beed

4 The Executive Engineer  
Minor Irrigation, Zillha Parishad,  
Beed, District: Beed

5 The Zilla Parishad  
Sub Divisional Office Patoda  
Dist. Beed

Respondents

Mr.D.R.Jaybhar h/f Mr. D.A.Bide advocate for the petitioner  
Mr. N.B. Patil, AGP for respondent State  
Mr.U.B. Bondar for Respondent No.4

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

Dated : 9<sup>th</sup> OCTOBER, 2015.

**ORAL JUDGMENT**

**(Per: R.M. Borde, J)**

1 Heard.

2 Rule.

3 With the consent of the parties, petition is taken-up for final disposal at admission stage.

4 The grievance raised by the petitioner in the instant petition is that, the agricultural land admeasuring 3 Hectors and 11 R, has been taken possession of, by respondents, without initiating land acquisition proceedings, for public purposes. Although the land is taken in possession in the year 2002, neither the proceedings for acquisition were initiated, nor the amount of compensation is paid to the petitioner.

5 By virtue of interim order passed by this Court on 13.6.2014, respondents were directed to deposit a sum of Rs.10,00,000/- and in pursuance of the interim directions, the respondent No.4 has deposited the amount.

6 In the facts of the case, this petition can be disposed of by issuing directions to respondents to initiate land acquisition proceedings, in respect of the land, already acquired and declare Award and further pay amount of compensation, as expeditiously as possible and preferably within a period of two years from today. While making payment of the amount under Award, the respondents shall take into consideration the amount already disbursed in favour of the petitioner, in pursuance to the interim order passed by this Court. The petitioner shall be permitted to withdraw a sum of Rs.10,00,000/- deposited in this Court unconditionally.

7 Rule is accordingly made absolute.

8 There shall be no order as to costs.

9 Pending Civil Applications do not survive and stand disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)