

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4313 OF 2015

VITHAL KISAN TANDLE AND OTHERS
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Munde H. K.
AGP for Respondents 1 to 3: Mrs. S.A. Dhumal

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**CORAM : R. M. BORDE AND
V. K. JADHAV, JJ.**

DATED : 27th APRIL, 2015

P.C. :-

1. The petitioners are praying for issuance of directions to the respondents to deposit the amount granted by the Reference Court towards enhanced compensation, within stipulated period.

2. The petitioners have made a grievance that the State authorities are adopting arbitrary attitude in paying the amount of compensation to the claimants, whose properties have been acquired for public purpose. It is pointed out that in several matters, wherein Reference applications have been decided at later point of time, the amount has been deposited earlier. There is no methodology adopted by the State Government in making deposit of the amount towards compensation of the acquired properties. It is

also noticed by this Court that in cases wherein amount involved run in Crores of rupees very prompt steps are taken in ensuring the payment to the claimants, whereas in the matters wherein a small amount is involved, such claimants are required to wait for years together. The State Government is supposed to adopt an uniform policy in respect of disbursement of amount of compensation to the claimants.

3. It is also matter of surprise as to how the claimants, who are in receipt of large sum are capable of ensuring deposit of amount within a shortest span and by breaking the queue, if any, The reasons are so obvious and need not be disclosed. The arbitrariness of the matter of disbursement of amount of compensation also shall have to be taken a note of by the State Government and an appropriate instructions shall be issued.

4. We expect, the State Government to adopt uniform policy in respect of disbursement of amount of compensation to the claimants so as to ensure that only such of those claimants, who are likely to receive large sum should not only be amongst those, who receive the benefits and small holders of the agricultural property are made to suffer. A copy of this order be transmitted to the Chief Secretary of the State Government.

5. In the instant matter, we direct the respondent State to deposit the amount towards enhanced compensation as determined by the Reference Court within a period of four months from today. Writ petition stands disposed of.

(V. K. JADHAV, J.)

(R. M. BORDE, J.)

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