

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

WRIT PETITION NO.7940 OF 2009

Godavari Marathwada Irrigation
Development Corporation ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

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Shri S.S. Thombre, Advocate for petitioner
Mrs. Y.M. Kshirsagar, A.G.P. for State
Shri A.B. Kale, Advocate holding for
Shri A.M. Hajare, Advocate for respondents No.3 and 4
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CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.

DATED: 5th May, 2015.

ORAL ORDER :

1. We have heard Mr. Thombre, learned counsel for the petitioner and Mr. Kale, learned counsel for respondents No.2 and 3. The matter was admitted. As the judgment of this Court was questioned before the Apex Court, liberty was given to the parties to mention after the Apex Court decides the Special Leave Petition.

2. Mr. Thombre and Mr. Kale, learned counsel for the

respective parties submit that the Special Leave Petition has been decided, wherein the Apex Court has upheld the grant of rental compensation from the date of dispossession till issuance of preliminary notification under Section 4(1) of the Land Acquisition Act. It is submitted by the learned counsel for the parties that in this case also the rental compensation has been awarded from the date of dispossession till the issuance of the notification under Section 4(1) of the Land Acquisition Act. In the light of above, the challenge made in the Writ Petition does not survive. Mr. Kale submits that the Apex Court, in the said Special Leave Petition, has awarded interest at the rate of 9% p.a. If the respondents have any grievance in respect of the payment of interest on rental compensation, they can approach the appropriate authority for the said purpose, which application be decided by the appropriate authority in terms of the decision of the Apex Court in the said Special Leave Petition. Writ petition accordingly disposed of. Rule discharged. No costs.

(A.I.S. CHEEMA, J.)

(S.V. GANGAPURWALA, J.)