

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**(1) WP NOS.8335/2014,8337/2014 &
8338/2014**

**26 WRIT PETITION NO. 8335 OF 2014
WITH WP/8337/2014 WITH WP/8338/2014**

MOHAN SAVALU THELARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. R.C.Patil
AGP for Respondents: Mrs. A.V.Gondhalekar
Mr.Pawar Ajay D., Advocate, for R/3.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: July 29, 2015

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PER COURT :-

1. The petitioners are praying for issuance of directions to the respondents to determine the amount of rental compensation payable to the petitioners under the policy prescribed by the State Government.

2. It is noticed, on perusal of the award passed by the Land Acquisition Officer on 10.4.2001 that the possession of the property under acquisition was directed to be taken over after issuance of notice under Section 12(2) of the Land Acquisition Act. It has also been brought to our notice that the petitioners themselves in their Reference Applications presented to the Civil Court have stated that the possession of the property has been taken over on 25th April, 2001 after declaration of the award. The Reference Court also, while disposing of the Reference

agp/-

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(2)

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Applications, awarded interest to the petitioners at the rate of 9 per cent per annum under Section 28 of the Land Acquisition Act from the date of delivery of possession which is mentioned in the award as 25.4.2001.

Apart from this, the petitioners themselves in their application tendered to the Collector, have not disclosed the date of taking over of the possession of the property. In view of these facts, the prayer made by the petitioners in the instant petitions for issuance of directions to the respondent authorities to determine rental compensation to them, does not deserve consideration.

3. The writ petitions are devoid of substance and hence stand rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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