

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1256 OF 2015

Gopal Premsingh Patil

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.V.B.Patil, advocate for the petitioner

Mrs.A.V.Gondhalekar, A.G.P. for Respondents No.1 to 3.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 25th August, 2015

PER COURT:

1 Petitioner is praying for issuance of directions to the Respondents to initiate and complete acquisition proceedings expeditiously for determination of amount of compensation payable to the petitioner in accordance with provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2 Petitioner states that though award has been declared by the Land Acquisition Officer on 06.09.2013, amount of compensation has not been paid to the petitioner.

3 An affidavit-in-reply has been presented on behalf of Respondents wherein it has been stated that under the proceedings of land acquisition, land out of 13 Gut numbers has been acquired and owners of 8 gut numbers have received amount

of compensation before enforcement of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4 It is, thus, contended that since majority of the land owners have already received amount of compensation, provisions of amended Act, more particularly, proviso to Section 24(2) of the Act of 2013, cannot be invoked and as such, the petitioner is not entitled to claim determination of amount of compensation in accordance with provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5 In view of above, grievance raised by the petitioner, in the instant petition, does not deserve consideration. Writ Petition is devoid of substance.

6 Writ Petition stands dismissed.

P.R.BORA
JUDGE

adb/wp125615

R.M.BORDE
JUDGE