

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.93 OF 2014

Tukaram Krushna Pawar .. Petitioner
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.212 OF 2014

Eknath Shiva Chandanshive
(since deceased)
a. Sidhharth Eknath Chandanshive and ors. .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.657 OF 2014

Pandurang Sarang Nil .. Petitioner
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.2435 OF 2014

Nabilal Mohammadali Moholkar
(deceased through L Rs) .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.11217 OF 2013

Ramchandra Aaba Nil .. Petitioner
V/s
The State of Maharashtra and ors. .. Respondents.

WITH

WRIT PETITION NO.11673 OF 2013

Jagganath Maruti Aldar
(since deceased through L Rs) .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.11675 OF 2013

Bhairu Sdhhu Chandanshive
(since deceased through L Rs) and ors. .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.11677 OF 2013

Mahadev Ramu Javgude
(deceased through L Rs) and ors. .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

WITH
WRIT PETITION NO.12112 OF 2013

Sopan Nagnath Nil
(since deceased through L Rs) and ors. .. Petitioners
V/s
The State of Maharashtra and ors. .. Respondents.

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Mr. Tejas D. Deshmukh, for petitioner.
Mr. C.P. Yadav, AGP, for respondent Nos. 1 to 3.
Mr. G.S. Hegde a/w Mr. C.M. Lokesh & Vaibhavi Gole i/b A.R. Bhole
and & Co., for respondent Nos. 4 and 5

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**CORAM : SMT. VASANTI A. NAIK &
SHRI C.V. BHADANG
DATE : FEBRUARY 05, 2015**

Common Order :

Since, the issue involved in these writ petitions is identical and since, the petitioners have sought similar directions against the respondents, they are heard together and are decided by this common order.

The learned counsel for the petitioners states that the issue involved in these petitions was also involved in a bunch of writ petitions bearing W.P. No. 4122 of 2013 and others and this Court has, by a judgment dated 13th December, 2013 allowed the writ petitions and directed the respondents to pay the compensation to the petitioners within a period of three months. It is stated that this Court has granted interest on the amount of compensation @ 8.25 % per annum from the date on which the agreements were executed in writing till the date of payment of compensation. The learned counsel for the petitioners seeks similar order in these cases also.

Mr. Hegde, the learned counsel appearing on behalf of MIDC does not dispute that similar issue has been decided by this Court by the judgment dated 13th December, 2013, referred to herein above. It is further stated that in two petitions, it appears that the

lands were not notified and hence, the compensation would not be payable in respect of those lands.

Since, the issue involved in these petitions has been answered in favour of the petitioners, we allow the writ petitions for the reasons recorded in the judgment dated 13th December, 2013 in Writ Petition No.4121 of 2013 and ors. On similar lines, we direct the respondents to pay the compensation to the petitioners

within a period of three months. The amount of compensation shall carry interest @ 8.25 % per annum from the date on which the petitioners have executed agreements in writing with the State Government till the date on which the compensation is actually paid to the petitioners. Order accordingly.

No costs.

[C.V. BHADANG, J.]

[VASANTI A. NAIK, J.]