

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

Writ Petition No. 2318 of 2015

Arvind s/o Vithalrao Pandhare

v.

Karnataka Emta Coal Mines Ltd., Ngp.

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. S.P. Palshikar Advocate for Petitioner.

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**Coram : B.P. Dharmadhikari &
S.B. Shukre, JJ.**

Date : 29th April, 2015.

Heard learned counsel for petitioner.

Prayer is to grant interest on amount of compensation towards land taken in possession by respondent for its use. Advocate Palshikar states that possession was taken in the year 2009 and because of inadequacy of compensation there was dispute. Sale-deed has been obtained in the year 2012, but then interest on the amount of compensation from 2005 to 2012 has not been paid till date.

During hearing, we find that respondent-company had obtained permission under Section 89-A of Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act in 2005 itself. Thus, from 2005, sale-deed appears to be pending between the parties. Attempt of Advocate Palshikar is to demonstrate that for the delay in the matter, petitioner cannot be blamed. However, all these are disputed questions of fact which cannot be looked into writ jurisdiction. Hence, with liberty to approach and file civil suit or other appropriate proceedings, as the petitioner may be advised, we dispose of writ petition. No costs.

Judge

Judge

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