

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

WRIT PETITION NO. 2501 OF 2013

Sow Kagabai Balasaheb Barul .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Nanabhau R. Thorat, Advocate for the Petitioner.
Mrs. M. A. Deshpande, A. G. P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 27TH JANUARY, 2016.

PER COURT :

. Mr. Thorat, the learned counsel for the petitioner submits that, in the year 1988 the reference was filed before the respondent No. 2, however, the respondent No. 2 did not transmit the said reference to the District Court. Other persons references are transmitted to the District Court. The inaction on the part of the respondent No. 2 is illegal. The valuable rights of the petitioner for getting enhanced compensation are being jeopardised.

2. Mrs. Deshpande, the learned A. G. P. submits that, even under the Right to Information Act information is given to the petitioner that, no such reference is filed.

3. The award is of the year 1988. The reference ought to have been filed in the year 1988. There is nothing on record to even remotely suggest that, the petitioner had filed reference U/Sec. 18 of the Land Acquisition Act with the respondent No. 2 so as to transmit it to the District Court. The petitioner has also moved this Court after long slumber of 24 to 25 years. On 03.09.2012 the Deputy Collector Land Acquisition has given information to the petitioner that in the record nowhere it is seen that the petitioner has filed reference U/Sec. 18 of the L. A. Act.

4. In absence of any proof of the petitioner having filed any reference, this Court cannot come to the aid of the petitioner. The writ petition as such is disposed of. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]