

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

WRIT PETITION NO. 1514 OF 2016

Ramkisan Laxmanrao Surung ...PETITIONER

versus

The State of Maharashtra and others ...RESPONDENTS

...

WITH

WRIT PETITION NO. 1515 OF 2016

Pandharinath Asaram Watane ...PETITIONER

versus

The State of Maharashtra and others ...RESPONDENTS

.....

Mr. Girish B. Kulkarni, Advocate for petitioners
Mr. A.V. Deshmukh, AGP for respondents No.1 to 3
Mr. Sambhaji S. Tope, Advocate for respondent No. 4

.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 4th MAY, 2016.

Order :-

1. Heard.
2. Learned counsel for the petitioners submits that the petitioners have filed References under section 18 of the Land Acquisition Act, 1894 (for short "Act of 1894") before the Special Land Acquisition Officer and Collector, for referring it to the District Court, on 06-06-2009. However, the respondent – authority concerned has not referred the same to the District Court. The petitioners are seeking directions to the authority concerned to refer the References to the District Court.

3. Learned Assistant Government Pleader, on instructions, states that the endorsement appearing in the register shows that the petitioners have filed References, but have not paid the court fees. Original copies of the References are not being traced out. If those are traced out the same would be forwarded to the District Court.

4. There is no dispute among the petitioners and respondents that petitioners have filed reference on 06-06-2009 under section 18 of the Act of 1894. There also does not appear any dispute that petitioners have not deposited the court fees.

5. According to the learned Assistant Government Pleader, register maintained by office concerned shows endorsement of the petitioners having filed References and not having paid court fees.

5. In the light of that, the respondents shall refer the said References to the District court. In case, original References are not being traced out, the petitioners shall file the copies of References along with its endorsement to the respondent – authority concerned. If compliance is required to be made by the petitioners, the same shall be made as expeditiously as possible. After completing all other requirements, the respondent - authority concerned shall refer the References to the District court within three months from the date of this order. The petitioners shall also pay the court fees within a period of four weeks from today.

6. Writ petitions stand disposed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]