

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2408 OF 2015

Bala S/o. Mahada Waghmare (Died),
Through L. Rs. Devidas S/o. Bala @
Babarao Waghmare and others

.. **Petitioners**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri H. B. Nandagawale h/f Shri Vijay G. Sakolkar, Advocate for
Petitioners.

Smt. A. V. Gondhlekar, Addl. G. P. for Respondent Nos. 1 to 3 and
5.

Respondent No. 4 served.

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

DATE : 30TH JUNE, 2016.

PER COURT :-

1. The learned counsel for the Petitioners states that, the possession of the Petitioners land has been taken by the Respondents on 20th February, 2001 whereas notification U/Sec. 4 of the Land Acquisition Act, 1894 has been issued on 04.07.2002 / 28.08.2002. However, rental compensation has not been paid. Even, notice was issued by the Petitioners to the Respondents but no cognizance is taken.

2. The learned A. G. P. states that, the Petitioners have not filed any application for rental compensation.

3. Considering the above, we pass the following order -

A] The Petitioners may file application for rental compensation with the competent authority seeking rental compensation from the date of possession i.e. 20th February, 2001 till the date of Section 4 notification i.e. 04.07.2002 / 28.08.2002.

B] On receipt of the said application the authority shall decide the same on its own merits, in accordance with law, after hearing all the parties concerned, expeditiously and preferably within nine (9) months from the date of receipt of application.

4. The Writ Petition is accordingly disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

sam/June.16