

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

**Writ Petition No. 3760 of 2015**

1. Nagnath s/o. Krushnath Umbre  
(Died) Through his L.Rs.

1-A] Kamalbai w/o. Nagnath Umbre,  
Age : 72 years,  
Occupation : Household,  
R/o. Wagholi,  
Taluka & District : Osmanabad.

1-B] Basveshwar s/o. Nagnath Umbre,  
Age : 53 years,  
Occupation : Agriculture,  
R/o. Wagholi,  
Taluka & District : Osmanabad.

1-C] Chaya w/o. Narshing Ankushkar,  
Age : 43 years,  
Occupation : Household,  
R/o. Latur,  
Taluka & District : Latur.

.. Petitioners.

**versus**

1. The State of Maharashtra,  
Through the Collector,  
Collector Office, Osmanabad.
2. The Special Land Acquisition Officer  
No.1, Osmanabad.
3. The Executive Engineer,  
Minor Irrigation Officer,  
Osmanabad,  
Taluka & District : Osmanabad.

.. Respondents.

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*Mr. Pankaj A. Bharat, Advocate, for the petitioners.*

*Ms. S.S. Raut, Asst. Government Pleader, for  
respondent nos.1 and 2.*

*Respondent no.3 served (Absent).*

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

**DATE : 25TH JANUARY 2016**

**COURT'S ORDER (Per S.V. Gangapurwala, J.) :**

1. Heard Mr. Bharat, the learned Counsel for the petitioners and Ms. Raut, the learned Asst. Government Pleader for respondent nos.1 and 2. Though respondent no.3 is served, none appears for respondent no.3.
2. The learned Counsel for the petitioners states that the petitioners had filed application under Section 28A of the Land Acquisition Act 1894, in the year 2012. The same is not yet decided.
3. The learned Asst. Government Pleader for respondent nos.1 and 2 submits that if the application is pending, then the authority would decide the same on its own merits.
4. In case, application filed by the petitioners under Section 28A of the Land Acquisition Act, 1894 [Exhibit "B"] is pending with the respondent / authority, the respondent / authority shall decide the same on

its own merits, in accordance with law and policy of the State, expeditiously after hearing all parties concerned, preferably within nine months from today.

5. With the above directions, the Writ Petition is disposed of.  
No costs.

**( A.M. BADAR )**  
**JUDGE**

**( S.V. GANGAPURWALA )**  
**JUDGE**

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