

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

WRIT PETITION NO. 4790 OF 2015

Vyankat S/o Ramchandra Pawar
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

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

Ms. S. S. Raut, A.G.P. for Respondent Nos. 1 to 5.

WITH

WRIT PETITION NO. 4823 OF 2015

Udhav S/o Nivratti Kumbhare
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

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

Shri N. B. Patil, A.G.P. for Respondent Nos. 1 to 3 and 5.

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

DATE : 11TH JULY, 2016.

PER COURT :

. The learned counsel for petitioners states that, the possession of the land of petitioners has been taken prior to issuance of notification U/Sec. 4 of the Land Acquisition Act (for

short "L. A. Act") and petitioners have issued notices to respondents for payment of rental compensation, however, no cognizance has been taken and the same are still pending.

2. We have heard, the learned A. G. P. for respondents/state also.

3. It appears that, the petitioners have not filed applications to the competent authority, but had only issued notices and did not appear before the authority. It would be for the authorities to consider as to the date of possession and the date of issuance of notification U/Sec. 4 and, thereafter arrive at a conclusion as to the eligibility of the petitioners for grant of rental compensation.

4. Considering the above, we pass following order.

5. The petitioners shall file fresh applications with the respondent authorities for grant of rental compensation. In case such applications are received by the authority, the authority shall decide the same in accordance with law and policy after hearing all parties concerned expeditiously and preferably within a period of nine (09) months from the date of receipt of applications. The writ petitions accordingly are disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 16