

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3878 OF 2016

Waman s/o Maroti Jadhav,
age: 54 years, Occ: Agril.,
R/o Ghatnandur, Tq.Ambajogai,
District Beed.

Petitioner

Versus

01 The State of Maharashtra,
through District Collector, Beed.

02 The Special Land Acquisition
Officer, J.P. No.4, at Beed,
Headquarter at Ambajogai,
Tq. Ambajogai, District Beed.

03 The Executive Engineer,
Minor Irrigation, Zilla Parishad,
Beed, Tq. & District Beed.

Respondents

Mr.R.A.Deshmukh, advocate for the petitioner.
Mr.A.R.Kale, AGP for Respondents No. 1 & 2.
Mr.A.D.Aghav, advocate for Respondent No.3.

**CORAM : R.M.BORDE &
K.L.WADANE, JJ.
DATE : 09th June, 2016**

ORAL JUDGMENT (Per R.M.Borde, J.):

1 Instant petition arises out of identical facts as in the matter of Laxman s/o Gangaram Holbole Vs. State of Maharashtra & others (**Writ Petition No.4411 of 2016**, decided on 16th April, 2016) and as such, can be disposed of in terms of the order passed in the aforesaid Writ Petition.

2 Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

3 In view of the reasons recorded by the Division Bench of this Court while disposing of Writ Petition No.4411 of 2016, instant petition also deserves to be allowed and same is accordingly allowed.

4 The order impugned in this petition is quashed and set aside. Petitioner shall pay the court fees within a period of three weeks from today. In case, petitioner pays court fees within stipulated period, the Respondent-authority shall refer Reference application to the Court, unless there is any other legal impediment. If the Reference Court awards enhanced amount of compensation, in that case, petitioner shall not be entitled to claim statutory benefits as provided under the statute for the period from 06.01.2003 till 09.06.2016.

5 Rule is accordingly made absolute. There shall be no order as to costs.

K.L.WADANE
JUDGE

adb/wp387816

R.M.BORDE
JUDGE