

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

WRIT PETITION NO. 11950 OF 2014

Yadavrao s/o Khanderao Jadhav

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. D.R. Jaybhar, advocate for petitioner.
Mr. B.V. Virdhe, AGP for the State.
Mr. S.G. Bhalerao, advocate for respondent no.4.

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**CORAM : R.M. BORDE &
A.I.S. CHEEMA, JJ.
DATE : 21st JANUARY, 2016.**

PER COURT :

1. Petitioner is praying for issuance of directions to respondents to pay the amount of compensation as per order dated 28.09.2012 passed by the Deputy Collector, Land Acquisition.

2. Affidavit-in-reply has been presented on behalf of the acquiring body wherein it has been stated that the amount of rental compensation computed at Rs. 20,547/- has been paid to the petitioner by cheque no. 948077 dated 12.02.1992. Rental compensation is computed from the date of taking over possession of the property i.e. 02.07.1983 till the date of award i.e. 10.08.1988. Respondents have also annexed photostat copies of the relevant extract of cash book indicating that the amount of Rs.20,547/- has been paid to petitioner. This fact has been suppressed by petitioner in the writ petition. Apart from this, this aspect has not been taken into

consideration by the Special Land Acquisition Officer while issuing order on 28.08.2012. Since petitioner has been paid amount of rental compensation, he is not entitled to claim any further amount. Apart from this fact, the petitioner has suppressed the fact of receiving amount from the acquiring body which dis-entitles him from claiming any equitable relief from this Court. Writ petition is devoid of substance hence stands rejected.

(A.I.S. CHEEMA)
JUDGE

(R. M. BORDE)
JUDGE

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