

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

WRIT PETITION NO. 4507 OF 2016

Uttareshwar Sambhaji Kate Died
through L.Rs. Sojar Uttareshwar Kate
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri P. P. More, Advocate for Petitioners.

Shri A. V. Deshmukh, A.G.P. for Respondent Nos. 1 and 3.

Shri P. R. Tandale, Advocate for the Respondent No. 2.

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

DATE : 05TH MAY, 2016.

PER COURT :

. The Reference Court has passed an award in the year 2007 and as yet no amount has been paid to the petitioners. The petitioners are the agriculturists.

2. Mr. Tandale, the learned counsel for the respondent No. 2 submits that, the respondent No. 2 is not liable to pay any compensation amount. Though the respondent No. 2 is an acquiring body, the funds were received under the E.G.S. scheme.

3. The respondent No. 2 was party in the Reference Court.

The award is passed against all the respondents. The said award has not been challenged by any of the parties till date by filing any appeal. Nine years have lapsed after the award is passed and the amount of compensation has not been paid to petitioners, who are agriculturists residing in remote rural village. The respondents ought to have considered apathy of the petitioners.

4. Considering the above, we pass following order.

A. The respondents shall make payment to petitioners as per the award passed by the Reference Court U/Sec. 18 of the Land Acquisition Act dated 01.03.2007 within a period of six (06) months from today. The writ petition is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]