

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

WRIT PETITION NO. 8643 OF 2015

Babu Dhondiba Madane and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Chandrakant K. Shinde, Advocate for Petitioners.

Shri N. B. Patil, A.G.P. for Respondent Nos. 1, 2 and 4.

Shri Jeevan R. Patil, Advocate h/f Shri G. B. Rajale, Advocate for the Respondent No. 3.

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

DATE : 11TH JULY, 2016.

PER COURT :

1. Mr. Shinde, the learned counsel for the petitioner submits that, Sec. 4 notification under the Land Acquisition Act 1894 was issued on 03rd February, 2014. The acquisition proceedings under the old Act have lapsed and the acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013 (for short "Act of 2013") has to be initiated by the respondents and compensation is required to be paid as per the Act of 2013.

2. We have heard the learned counsel for the petitioner, the

learned A. G. P. for respondent Nos. 1, 2 and 4 and the learned counsel for the acquiring body/respondent No. 3. Affidavit in reply is filed by the respondent No. 3 stating that, it has given it's no objection for initiating acquisition proceedings under the Act of 2013. Even notice U/Sec. 15(1) of the Act of 2013 is issued and the petitioners have raised their objection.

3. In view of the fact that, proceedings under the new Act of 2013 have already been initiated, the same is required to be completed within stipulated period as mentioned in the Act of 2013 itself. The writ petition as such is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 16