

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6328 OF 2015

Abhang S/o Dadarao Karve and anr. .. Petitioners

Vs.

The State of Maharashtra and anr. .. Respondents

AND

WRIT PETITION NO. 6329 OF 2015

Rajesaheb S/o Khabula Shaikh .. Petitioner

Vs.

The State of Maharashtra and anr. .. Respondents

Mr. M.S. Karad, Advocate for the petitioners in both WPs
Mr. B.V. Virdhe, AGP for the respondent/State in both Wps
Respondent no.2 served – absent in both WPs.

CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.
DATE : 20/07/2016

ORAL ORDER :

Though respondent no.2 is served in both writ petitions, none appears for respondent no.2.

2. In both these matters, the reference Court has passed awards under section 18 of the Land Acquisition Act granting enhancement of compensation.

3. Mr. Karad, learned counsel for the petitioners submits that petitioners are small agriculturists, their agricultural lands have been acquired for percolation tank. The reference under section 18 of the Land Acquisition Act has been partly allowed in the year 2009, however, the amount is not yet deposited. The execution is also filed.

4. We have heard learned AGP also.

5. In normal course, we relegate the parties for filing execution, however, considering that the enhancement granted by reference Court is not much and petitioners are small agriculturists so also the fact that apart from their agricultural land, no other source of livelihood is there and enhancement is not much and since 2009, the amount is not paid, we direct the respondents to pay the said amount as per the award passed by the reference Court to the petitioners expeditiously, preferably within 9 (nine) months from the date of receipt of this order.

6. Both Writ Petitions are accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

arp/