

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6331 OF 2015

EASUB RAJESAHEB SHAIKH
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mr. M.S. Karad
AGP for Respondents: Mr. N.B. Patil.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 25TH JULY , 2016.

PER COURT:

1. Though notice is served upon respondent No.2, none appears for respondent No.2 Acquiring Body.
2. In this petition, the reference Court has passed award under section 18 of the Land Acquisition Act granting enhancement of compensation.
3. Mr. Karad, learned counsel for the petitioner submits that petitioner is small agriculturist, his agricultural land has 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 petitioner is a small agriculturist 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 petitioner expeditiously, preferably within 9 (nine) months from the date of receipt of this order.

6. Writ Petition is accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-