

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO. 7567 OF 2015

Kaduba S/o. Hiranman Patil & four others

PETITIONERS

V E R S U S

The State of Maharashtra & two others

RESPONDENTS

Mr. Ganesh S. Patil, Advocate for the Petitioners
Mr. V.M. Kagne, A.G.P. for the Respondent Nos.1 & 2 - State
Smt. Chetali R. Chaudhari, Advocate for Respondent No.3

**CORAM : A.V. NIRGUDE &
V.L. ACHLIYA, JJ.**

DATE : 13th April, 2016

PER COURT :

1. Heard learned counsel representing the parties. By consent the petition is disposed at admission stage.
2. Learned counsel representing respondent no. 3 points out that no application is made to respondent no. 2 to determine the rental compensation. The application is made to the acquiring body, which cannot determine rental compensation.

3. Learned counsel for the petitioners admits that no application is made before the Special Land Acquisition Officer seeking determination of rental compensation. He further submits that the petitioners will make appropriate application within a period of one week from the date of this order.

4. In view of above, we direct the respondent no. 2 that in case the representation / application received from petitioner then same shall be heard and decided within a period of eight weeks from the date of receipt of representation by giving opportunity of hearing to all concerned including the acquiring body. In case it is found that rental compensation is to be payable then the acquiring body i.e. respondent no. 3 shall pay the amount, as determined by the Special Land Acquisition Officer, within eight weeks from passing of order. The order saddling cost stands recalled. With this direction, the petition is disposed of.

5. Parties to act upon the authenticated copy of this order.

(V.L. ACHLIYA, J.)

(A.V. NIRGUDE, J.)