

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

WRIT PETITION NO.6781 OF 2012

Savalu s/o Gangaram Thelari ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri R.C. Patil, Advocate for petitioner
Shri P.S. Patil, A.G.P. for State
Shri A.D. Pawar, Advocate for respondent No.3.

.....

WITH

WRIT PETITION NO.6782 OF 2012

Vedu s/o Savalu Thelari ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri R.C. Patil, Advocate for petitioner
Shri P.S. Patil, A.G.P. for State
Shri A.D. Pawar, Advocate for respondent No.3.

.....

WITH

WRIT PETITION NO.6786 OF 2012

Nathu s/o Bhaurao Patil ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri R.C. Patil, Advocate for petitioner
Shri P.S. Patil, A.G.P. for State
Shri A.D. Pawar, Advocate for respondent No.3.
.....

W I T H

WRIT PETITION NO.6780 OF 2012

Popat s/o Uda Thelari ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri R.C. Patil, Advocate for petitioner
Shri P.S. Patil, A.G.P. for State
Shri A.D. Pawar, Advocate for respondent No.3.
.....

W I T H

WRIT PETITION NO.6813 OF 2012

Sumanbai w/o Subhash Sutar ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri R.C. Patil, Advocate for petitioner
Shri P.S. Patil, A.G.P. for State
Shri A.D. Pawar, Advocate for respondent No.3.
.....

CORAM: R.M. BORDE AND
 A.I.S. CHEEMA, JJ.

DATED: 6th January, 2016.

ORAL ORDER :

1. The petitioners are praying for issuance of directions to the respondents to determine the amount of rental compensation payable to the petitioners under the policy prescribed by the State Government.

2. It is noticed, on perusal of the award passed by the Land Acquisition Officer on 10.4.2001 that the possession of the property under acquisition was directed to be taken over after issuance of notice under Section 12(2) of the Land Acquisition Act. It has also been brought to our notice that the petitioners themselves in their Reference Applications presented to the Civil Court have stated that the possession of the property has been taken over on 25th April, 2001 after declaration of the award. The Reference Court also, while disposing of the Reference Applications, awarded interest to the petitioners at the rate of 9 per cent per annum under Section 28 of the Land Acquisition Act from the date of delivery of possession which is mentioned in the award as 25.4.2001.

Apart from this, the petitioners themselves in their applications tendered to the Collector, have not disclosed the date of taking over of the possession of the property. In view of these facts, the prayer made by the petitioners in the instant

petitions for issuance of directions to the respondent authorities to determine rental compensation to them, does not deserve consideration.

3. The writ petitions are devoid of substance and hence stand rejected.

(A.I.S. CHEEMA, J.)

(R.M. BORDE, J.)

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