

- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6761/2016

- 1] Pralhad Rajaram Jagtap
Age:55 Years, Occ. Agri
R/o. At/Post- Bhandegaon,
Tal.&Dist: Hingoli.
- 2] Namdeo Sakharam Jagtap
Age:60 Years, Occ. Agri
R/o. At/Post- Bhandegaon,
Tal.&Dist: Hingoli.
- 3] Laxman Sakharam Jagtap
Age:50 Years, Occ. Agri
R/o. At/Post- Bhandegaon,
Tal.&Dist: Hingoli.
- 4] Manglabai Sitaram Jagtap
Age:40 Years, Occ. Agri
R/o. At/Post- Bhandegaon,
Tal.&Dist: Hingoli.
- 5] Vitthal Sakharam Jagtap
Age:55 Years, Occ. Agri
R/o. At/Post- Bhandegaon,
Tal.&Dist: Hingoli.

...Petitioners...

Versus

- 1] The State of Maharashtra
Through Its Secretary,
Irrigation Development Department,
Mantralaya, Mumbai.
- 2] The District Collector,
Hingoli, Dist:Hingoli.
- 3] The Sub Divisional Officer,
Land Acquisition Officer,
Hingoli, Dist:Hingoli.

- 2 -

4] The Executive Engineer,
Minor Irrigation Division, Parbhani
Jayakwadi Colony, Koregaon Road,
Tal.Dist:Parbhani.

5] The Sub Divisional Engineer,
Minor Irrigation Division,
Shivajinagar, Near Water Tank,
Hingoli.

...Respondents...

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Mr.Dhananjay K. Thote, Advocate for the petitioners.

Mr.V.M. Kagne, AGP for respondent Nos.1 to 3.

For respondent nos.4 & 5, the petitioners have filed
affidavit of service.

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**CORAM: R.M. BORDE &
K.L. WADANE, JJ.**

DATE: 05.08.2016

ORAL JUDGMENT (Per Borde, J.):

1] Heard the learned counsel for the parties.

2] Rule. Rule made returnable forthwith and the
petition is taken up for final disposal with the consent
of learned counsel for the respective parties.

3] The petitioners are objecting to the award passed
by the Land Acquisition Officer on 07.04.2015
determining the amount of compensation in respect of the
acquired property. The award has been passed in respect
of the land situated in rural area by consideration of
multiplier factor of 1.1. In view of the judgment
delivered by this Court in Writ petition No.4274/2016 and
in pursuance to the notification issued by the
Government on 26.05.2015, the acquisition authorities

- 3 -

are required to apply multiplier as 2 in respect of the properties situated in rural areas.

4] In view of above, the award passed by the land acquisition authorities needs to be corrected so far as the computation of amount of compensation is concerned. The respondents are thus directed to determine the amount of compensation payable to the petitioners by prescription of multiplier factor 2 and declare the award afresh and pay the amount of compensation to the petitioners expeditiously.

5] The respondents are directed to determine the amount of compensation under the award in observance of the directions as above as expeditiously as possible and preferably within a period of six weeks from today and it is accordingly directed.

6] Rule is made absolute accordingly. There shall be no order as to costs.

(K.L. WADANE, J.)

(R.M. BORDE, J.)