

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7594 OF 2016

Balaji Babasaheb Veer

Petitioner

Versus

Union of India and others

Respondents

Mr.R.A. Deshmukh advocate for the petitioner

Mr.S.G. Karlekar, AGP for Respondent No.4 State

Mr.S.B.Deshpande, ASG for respondent No.1

Mr. D.S. Manorkar h/f M.V.Kini & Co. advocate for respondent No.2

CORAM : R.M. BORDE &

K.K. SONAWANE, JJ

(Date : 28th September, 2016.)

PER COURT :-

1 Land belonging to petitioner has been acquired for the construction of National Highway. It is informed that, the respondents have declared the Award on 14.1.2009 and amount of compensation has been disbursed. While determining the amount of compensation, according to the petitioner, the provisions of The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after referred to as, "the Act of 2013" for the sake of brevity) have not been made applicable and the Award has been declared in accordance with the provisions of the Land Acquisition

Act of 1894.

2 It is not controverted by the respondents that, the determination of the amount of compensation is not in accordance with the Act of 2013. It is specifically averred by the respondents in the affidavit in reply presented on record that, the office of the answering respondent is ready to pay the difference in amount of compensation in accordance with the provisions of the Act of 2013.

3 In view of the statement made on oath in the affidavit in reply presented on behalf of the respondents, the substantial grievance raised in the petition stands redressed. The respondents shall determine the amount of compensation in observance of the provisions of the first schedule of the Act of 2013 and shall pay the amount or difference, as expeditiously as possible, preferably within a period of three months from today.

4 Writ petition is accordingly disposed of. No costs.

(K.K. SONAWANE, J)

(R.M.BORDE, J)