

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.8959 OF 2016

- 01 Baburao Kashiram Korde,
age: 43 years, Occ: Agri.,
R/o At/Post Navalghavaon,
Tq. & District Hingoli.
- 02 Kashiram Devba Korde,
age: 72 years, Occ: Agri.,
R/o At/Post Navalghavaon,
Tq. & District Hingoli.
- 03 Saraswati Ananda Korde,
age: 61 years, Occ: Agri.,
R/o At/Post Navalghavaon,
Tq. & District Hingoli.
- 04 Gajanan Nivrati Padghan,
age: 35 years, Occ: Agri.,
R/o At/Post Navalghavaon,
Tq. & District Hingoli.
- 05 Shamrao Aappaji Padghan,
age: 68 years, Occ: Agri.,
R/o At/Post Navalghavaon,
Tq. & District Hingoli.
- 06 Ananda Pandurang Tapre,
age: 50 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 07 Ramesh Pandurang Tapre,
age: 50 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 08 Kailas Purbha Tapase,
age: 33 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.

- 09 Bhagawat Kashinath Ghyar,
age: 30 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 10 Datta Hausaji Ghyar,
age: 55 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 11 Namdeo Hausaji Ghyar,
age: 52 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 12 Shivaji Yogaji Ghyar,
age: 45 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 13 Kautika Rayaji Ghyar,
age: 55 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 14 Kailas Bhojaji Ghyar,
age: 46 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 15 Manjulabai Gangaram Ghyar,
age: 60 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 16 Laxmibai Govinda Ghyar,
age: 55 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.
- 17 Swaraj Bhojaji Ghyar,
age: 52 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.

18 Hanuman Balaji Ghyar,
age: 19 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.

19 Bharat Maroti Ghyar,
age: 47 years, Occ: Agri.,
R/o Santmba, Post: Bhandegaon,
Tq. & District Hingoli.

Petitioners

Versus

01 The State of Maharashtra,
through its Secretary,
Irrigation Development Department,
Mantralaya, Mumbai.

02 The District Collector,
Hingoli, District Hingoli.

03 The Sub Divisional Officer,
Land Acquisition Officer,
Hingoli, District Hingoli.

04 The Executive Engineer,
Minor Irrigation Division, Parbhani,
Jayakwadi Colony, Koregaon Road,
Tq. & District Parbhani.

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

Respondents

Mr.D.K.Thote, advocate for petitioners.
Mr.S.S.Dande, A.G.P. for Respondents No.1 to 3.
Mr.P.S.Patil, advocate for Respondents No.4 & 5.

WITH
WRIT PETITION NO.8960 OF 2016

01 Mahadu Ranbhaji Jagtap,
age: 51 years, Occ: Agri.,

R/o At/Post Bhandegaon,
Tq. & District Hingoli.

02 Sunil Nagorao Jagtap,
age: 36 years, Occ: Agri.,
R/o At/Post Bhandegaon,
Tq. & District Hingoli.

03 Hari @ Baban Rama Jagtap,
age: 42 years, Occ: Agri.,
R/o At/Post Bhandegaon,
Tq. & District Hingoli.

04 Namdev Gyanuji Jagtap,
age: 70 years, Occ: Agri.,
R/o At/Post Bhandegaon,
Tq. & District Hingoli.

05 Santabai Narayan Shinde,
age: 55 years, Occ: Agri.,
R/o At/Post Ganeshwadi,
Tq. & District Hingoli.

Petitioners

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01 The State of Maharashtra,
through its Secretary,
Irrigation Development Department,
Mantralaya, Mumbai.

02 The District Collector,
Hingoli, District Hingoli.

03 The Sub Divisional Officer,
Land Acquisition Officer,
Hingoli, District Hingoli.

04 The Executive Engineer,
Minor Irrigation Division, Parbhani,
Jayakwadi Colony, Koregaon Road,
Tq. & District Parbhani.

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

Respondents

Mr.D.K.Thote, advocate for petitioners.
Mr.P.S.Patil, A.G.P. for Respondents No.1 to 3.

**CORAM : R.M.BORDE &
K.K.SONAWANE, JJ.
DATE : 19th October, 2016**

ORAL JUDGMENT : (PER R.M. 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 by 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 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.K.SONAWANE
JUDGE

R.M.BORDE
JUDGE

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