

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8796 OF 2016
WITH WP/8797/2016 WITH WP/8798/2016 WITH WP/8799/2016

DILIP DAGADU KHATAKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Sushant B, Choudhari
AGP for Respondents: Mr. V.M. Kagne.

. . .

CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 18TH OCTOBER, 2016.

PER COURT:

1] The petitioners herein contend that their agricultural properties situated at village, Gaikawadi, Vahali and Kutewadi, in Patoda Taluka, Dist. Beed, have been taken in possession for the construction of percolation tanks. The proceedings for determination of amount of compensation were initiated under the Land Acquisition Act, 1894 with issuance of Section 4 notifications. However, the proceedings were discontinued thereafter and award has not yet been declared. The grievance of the petitioners is that they have not been paid any amount of compensation in respect of the area of which possession has been taken by the Government. The petitioners, therefore, are requesting for issuance of directions to the respondent Nos. 1 and 2 to initiated proceedings for acquisition under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and pay compensation to the petitioners in

accordance with such determination.

2] Considering the facts and circumstances of the case, directions need to be issued to respondent Nos. 1 and 2 to initiate proceedings for acquisition under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and to declare the award as expeditiously as possible, preferably within a period of one year from today. Respondent Nos. 1 to 3 shall pay the amount of compensation so determined under the award that is likely to be passed in pursuance to the directions being issued in the instant petition, to the petitioners as expeditiously as possible and preferably within a period of four months from the date of such determination, and it is accordingly directed.

3] With the directions as above, writ petitions are disposed of.

[K.K.SONAWANE]
JUDGE

[R.M. BORDE]
JUDGE

grt/-