

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9413 OF 2015

GAHININATH UTTAM ANDHALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. S. L. Bhapkar.
AGP for Respondent Nos.1 to 3 : Mr. A. M. Phule.
Respondent No.4 served.

. . .

CORAM : S. V. GANGAPURWALA &
A. M. BADAR, JJ.

DATE : 22nd FEBRUARY, 2016.

PER COURT:

1] We have heard Mr. Bhapkar, learned counsel for the petitioner and Mr. Phule, learned AGP for respondent Nos. 1 to 3.

2] In earlier writ petition bearing W.P. No. 623 of 2015, this Court vide order dated 30th April, 2015 has directed the Special Land Acquisition Officer to re-determine the amount of rental compensation on the basis of the enhancement of the amount of land value together with other benefits awarded by the Reference Court. It is submitted that respondent No.4 in the said writ petition, by mistake was wrongly added, instead of the present respondent No.4. As such, said dispute would not bind the present respondent No.4.

3] In the light of the above, the SLAO will have to re-determine the same . Hence, we pass the following order :-

I] In the facts of the case, the matter stands remitted back to the Land Acquisition Officer. He shall redetermine the amount of rental compensation on the basis of enhancement in the amount of land value

together with other benefits, awarded by the Reference Court, while dealing with the Reference under Section 18 of the Land Acquisition Act. The redetermination of the amount shall be made by respondent No.3 as expeditiously as possible, preferably within a period of 8 weeks from today. On determination of amount of rental compensation together with interest, the same shall be paid by respondent no.4 to the petitioners within a period of eight weeks from the date of such determination.”

4] With the directions, as above, writ petition is disposed of.

[A.M. BADAR]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

grt/-