

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8184 OF 2015

Sunderbai Amrata Kadam and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 12510 OF 2015

Masiyoddin Nizamoddin .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Anand V. Patil (Indrale), Advocate for Petitioners in both matters.

Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 to 3 in both matters.

Shri B. R. Surwase, Advocate for the Respondent No. 4 in both matters.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 17TH OCTOBER, 2016.

PER COURT :

. The grievance of the petitioners is that, the award has been passed in February 2014 after the introduction of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (for the sake of brevity hereinafter called as “Act of 2013”). Though the award is passed after the introduction of Act of 2013, but the compensation amount

is computed as per the old Land Acquisition Act 1894. According to the petitioners, the compensation is required to be computed and paid in accordance with provisions of the Act of 2013.

2. The learned Additional Government Pleader states that, the affidavit is filed accepting that the computation of compensation will have to be done as per the Act of 2013 and the same would be done.

3. We have also heard Mr. Surwase, the learned counsel for acquiring body/respondent No. 4.

4. In view of the affidavit in reply filed by the respondents/State thereby clearly admitting that the petitioners along with other claimants would be entitled for compensation in terms of the Act of 2013. We need not dilate further. The respondents shall compute the compensation as per the Act of 2013 expeditiously and preferably within a period of six (06) months from today and shall pay the said amount to the petitioners after calculations as per the provisions of Act of 2013 and after adjusting the amount already paid. The writ petitions accordingly are disposed of.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]