

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10079 OF 2014

Panjabrao s/o Sahebrao Shinde & others Petitioners

Versus

The State of Maharashtra & others Respondents

Mr.M.J.Shelke, advocate for petitioners
Mr.V.M.Kagane, A.G.P. for Respondents No.1 & 2.
Mr.B.R.Survase, advocate for Respondents No.3 & 5.
Mr.H.K.Munde, advocate for Respondent No.6.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 21st January, 2016**

PER COURT:

1 The grievance raised by petitioners, in the instant petition, is in respect of failure of the Respondent authorities in initiating land acquisition proceedings in respect of lands already taken in possession and failure of the Respondents to pay amount of compensation.

2 The lands belonging to petitioners out of G.Nos.67 and 69, admeasuring 1 hectare 39 ares and 1 hectare 62 ares, situate at village Dhotra, Taluka and District Beed, have been acquired for construction of percolation tank under the Employment Guarantee Scheme. According to the petitioners, although possession of landed property has already been taken in possession in the year 2002, proceedings in respect of acquisition were not initiated and award was not declared. The project work in respect of construction of percolation tank is complete. Petitioners approached Respondent authorities with a request to pay amount

of compensation, however, their request has not been considered.

3 In the facts and circumstances, this petition can be disposed of with a direction to Respondents No.1, 2 and 5 to initiate land acquisition proceedings in respect of lands belonging to petitioners, which are already taken in possession and declare award in accordance with the provisions of Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013, as expeditiously as possible, preferably within a period of one year from today. On declaration of award and determination of amount of compensation, Respondents shall pay the amount to the petitioners, as expeditiously as possible, preferably within a period of three months from the date of such declaration.

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

A.I.S.CHEEMA
JUDGE

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R.M.BORDE
JUDGE