

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.312 OF 2016**Rajiya Begum Jamirkha Pathan and others Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.R.R.Deshmukh, advocate holding for Mr.Atul R.Kale, advocate for the Petitioner.
Mr.V.M.Kagane, A.G.P for the State.

**CORAM : S.V.GANGAPURWALA AND
A.I.S.CHEEMA, JJ.**
Date : 15.03.2016.

PER COURT :

1. Heard.
2. Mr.Deshmukh, learned counsel submits that petitioner is entitled for interest U/s 34 of the Land Acquisition Act, as possession has been taken in the year 2005 and the notification U/s 4 of the Land Acquisition Act, is issued in 2007. The petitioner is entitled for rental compensation. Interest U/s 34 of the Land Acquisition Act is not awarded.
3. We have heard learned A.G.P.
4. Mr.Deshmukh, learned counsel candidly accepts that the petitioner has filed Reference U/s 18 of the Land Acquisition Act.

In that case, the petitioner can claim interest U/s 34 of the Land Acquisition Act in the said Reference, wherein Reference Court can consider grant of interest U/s 34 of the Land Acquisition Act. As far as rental compensation is concerned, the petitioner may move the appropriate authority in that regard.

5. The Writ Petition is disposed of with aforesaid observations.

No costs.

(A . I . S . CHEEMA , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.03.2016.

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