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

WRIT PETITION NO.12064/2015

- 1] Anant @ Gopal Vishwanath Patil
Age 31 years, Occupation-Agriculturist
Having his address for
communication at Vikram Complex,
A-2, Sinhagad Road,Pune-51
- 2] Anil Vishwanath Patil
Age 44 years, Occupation-Agriculturist
Having his address for
communication at Upadhye Wada,
Datta Chowk, Solapur
- 3] Rishikesh Vishwanath Patil
Age 29 years, Occupation-Agriculturist
Having his address for
communication at Vikram Complex,
A-2, Sinhagad Road,Pune-51. ..PETITIONERS

VERSUS

State of Maharashtra
through the Dy.Collector
of Land Revenue, Manjra
Project, Osmanabad. ..RESPONDENTS

...
Shri M.M.Dabholkar,Advocate for petitioners
Shri S.S.Dande,AGP for respondent State.

...

**CORAM : S.S.SHINDE &
V.L.ACHLIYA,JJ.**

DATED : 17TH MARCH,2016

PER COURT :-

Heard counsel appearing for the petitioners and learned AGP

appearing for respondent State.

2] The learned counsel appearing for the petitioners submits that the petitioners filed application with the Deputy Collector, Land Acquisition, Manjra project, Osmanabad on 30/07/2011 for correction of award. He invited our attention to the contents of the said application. He further invited our attention to another application dated 30/7/2011 addressed to the said authority. He submits that though the said authority acted upon the said application and carried out re-measurement, however, till date, no final decision is taken by the respondent authorities. Therefore, he submits that Petition may be allowed.

3] Respondent has filed the affidavit in reply. In para 3 and 4 of the affidavit in reply, it is stated that as per the first joint measurement dated 17/04/2009, the land of the petitioners to the extent of 2 hectare 90 Aar has been shown acquired by acquiring body and award has also been passed on 1/3/2011 by the office of the respondent. However, in the re-measurement report dated 29/06/2012, it is revealed that actually, the land of the petitioners to the extent of 1 hectare 65 Aar has been acquired by the acquiring body. As per the re-measurement report dated 29/6/2012, the respondent will pay the amount of compensation of Rs.1,96,257/- to the petitioners within 3 weeks from 14/03/2016.

4] We have heard counsel appearing for the petitioners and learned AGP appearing for the State. On aforesaid undisputed position, the respondent authority- Collector was bound to take recourse to provisions of Section 13(A) of the Land Acquisition Act, 1894 and take appropriate final decision on application filed by petitioners, for correction of the award as per re-measurement.

5] In that view of the matter, we direct the Collector to take such decision as expeditiously as possible however, within four weeks from today. One of the petitioners to appear before respondent District Collector, Osmanabad on **22nd March, 2016**. Needless to observe that once such corrective steps are taken by respondent, immediately amount towards compensation should be disbursed to the petitioners. Petition is disposed of in above terms.

6] Parties to act upon authenticated copy of this order.

(V.L.ACHLIYA,J.)

(S.S.SHINDE,J.)

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