

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

WRIT PETITION NO.11191 OF 2014

Sanjay s/o Uttam Pawar
and others

... PETITIONERS

VERSUS

The State of Maharashtra
and others

... RESPONDENTS

.....

Shri Paresh B. Patil, Advocate for petitioners
Shrio V.M. Kagne, A.G.P. for State
Shri C.R. Chaudhari, Advocate for respondent No.5
Shri R.B. Ade, Advocate for respondent No.8

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CORAM: R.M. BORDE AND
 A.I.S. CHEEMA, JJ.

DATED: 25th February, 2016.

ORAL ORDER :

1. The petitioners are praying for issuance of directions to the respondents to determine the amount of compensation in respect of acquired houses and to pay the same to the petitioners along with interest and other benefits. It is the contention of the petitioners that the residential properties

belonging to them have been taken in possession by the State authorities for public purpose. However, neither the award has been declared nor the amount of compensation has been paid.

2. The counsel appearing for respondent No.5 acquiring body informs that the petitioners were unauthorisedly occupying the Government land and they do not have the title over the property. There is no evidence in respect of the ownership of the petitioners in respect of the residential properties claimed by them.

3. It is further informed that, only 10 beneficiaries were possessing documents in the form of "*Namuna Number 8*" issued by the Village Panchayat and as such, such 10 beneficiaries were declared entitled to receive the amount of compensation. So far as the petitioners are concerned, since they were unauthorisedly occupying the Government land, they are not entitled to receive the benefits.

4. The counsel appearing for the Village Panchayat also supports the contentions raised by the counsel appearing for the acquiring body.

5 . In this view of the matter, the grievance raised by the petitioners in the instant petition does not deserve any consideration. The Writ Petition is devoid of substance. Hence, same stands rejected.

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

(R.M. BORDE, J.)

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