

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

WRIT PETITION NO. 1480 OF 2016

1. Maroti s/o Sukhdev Andhale
Age 65 years, occ. Agril
2. Nana s/o Mohan Andhale
age 25 years, occ. Agril
3. Dattatray s/o Vitthal Andhale
age 27 years, occ. Agril
4. Kashinath s/o Sitaram Thombre
age 60 years, occ. Agril
5. Govardhan s/o Tulsiram Andhale
age 60 years, occ. Agril
6. Asaram s/o Bapu Andhale
age 45 years, occ. Agril

All r/o Andhalyachi Wadi
Tq. Kaij, Dist. Beed.

.. PETITIONERS

VERSUS

1. The State of Maharashtra
Through secretary
Irrigation Department,
Mantralaya, Mumbai.
2. The District Collector,
District Beed, Beed.
3. Deputy Collector (Land Acquisition)
No. 1, Ambajogai, Dist. Beed.
4. The Executive Engineer
Jayakwadi Irrigation department no. 3,
Beed Dist. Beed.
5. The Executive Engineer
Majalgaon Irrigation Division
Parali (V), Tq. Parali(V),
Dist. Beed.

.. RESPONDENTS

Mr. V.P. Savant, advocate for petitioners.

Mr. S.J. Salgare, AGP for the State.

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**CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 19th DECEMBER, 2016.**

ORAL JUDGMENT : (PER R. M. BORDE, J.)

1. Rule. Rule made returnable forthwith.
2. Heard finally with the consent of learned counsel for the respective parties.
3. Agricultural land belonging to petitioners situate at village Andhalyachi Wadi has been taken in possession by respondents for construction of irrigation tank in the year 2004-2005. However, till today, neither proceeding for determination of amount of compensation has been initiated nor any amount has been paid to petitioners. It is stated on behalf of respondent no. 5 on oath that the proposal for acquisition and determination of amount of compensation in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 would be submitted within a period of three months. It was expected of respondent no. 5 to tender proposal to respondent no. 2 as assured by him.
4. Considering the facts and circumstances of the case, we dispose of this petition with direction to respondents 2 and 3 to determine the amount of compensation in respect of acquired land belonging to petitioners, as

expeditiously as possible, preferably within a period of one year from today. Respondents 4 and 5 shall pay the amount of compensation in accordance with determination by respondents 2 and 3 within the time stipulated as above. Rule is accordingly made absolute. No costs.

(SANGITRAO S. PATIL)
JUDGE

(R. M. BORDE)
JUDGE

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