

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

**WRIT PETITION NO. 2709 OF 2017**

Rajkumar Laxman Mitkari and Others

..PETITIONERS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. V.D. Sapkal, Advocate h/f Mr. L.C. Patil, Advocate for petitioners.

Mr. P.S. Patil, A.G.P. for respondent – State.

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**CORAM : S.V. GANGAPURWALA AND  
K.L. WADANE, JJ.**

**DATED : 01<sup>st</sup> MARCH, 2017**

**ORDER :**

1. Heard. Notice to respondents. Learned A.G.P. waives service of notice for Respondent Nos. 1 and 2.

2. Mr. Sapkal, learned counsel submits that the petitioners have filed an application seeking statutory benefit under Section 34 of the Land Acquisition Act (for short, 'the Act'). The Reference is filed by the petitioners. Reference is decided. In the said Reference also the Reference Court has not passed any order with regard to the statutory benefit under Section 34 of the Act. Learned counsel submits that the petitioners have

filed application with Respondent No.2 seeking the said benefit on 22.08.2013 and same is received by Respondent No.2.

3. We have heard learned A.G.P.

4. In case the said application filed by the petitioners seeking statutory benefit under Section 34 of the Act is pending with respondent no.2 (Exh.'A'), then the same shall be decided expeditiously, preferably within six months from today after hearing all the parties concerned and in case the amount is determined then the respondents shall pay the said amount to the petitioners within four months from the date of determination.

5. Writ Petition disposed of. No costs.

SSD ( K.L. WADANE, J. )

( S.V. GANGAPURWALA, J. )