

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7457 OF 2016

Vithal s/o Rangnath Ambarwadikar

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. S.V. Hange, advocate for the petitioner.
Mr. A.R. Kale, A.G.P. for Respondents 1 to 3.
Mr. S.s. Dande, advocate for respondent no. 4.

WITH

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CORAM : R.M.BORDE &

K.L. WADANE, JJ.

DATE : 25th APRIL, 2017

PER COURT:

1. Issue raised in the instant petitions is no more *res integra* and is covered by judgment delivered in Writ Petition No. 11628/2015.

2. Facts giving rise to instant petitions are also similar to the facts of the petition referred above. In this view of the matter, for the reasons recorded in Writ Petition No. 11628/2015, instant petition also deserves to be disposed of with following order :

(a) The impugned award would not be binding upon the petitioners in respect of the writ land;

(b) The respondents shall, by adhering to the provisions of the MIDC Act, 1961, determine the compensation of the writ land of the petitioners, afresh as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as made applicable vide notification dated 27th August, 2014.

(c) In case, the MIDC wants to delete the land from acquisition, the MIDC may take steps in that regard.

(d) The same shall be done expeditiously and preferably within a period of six months from the date of this order.

(e) It is made clear that we have not given any indication with regard to the quantum of compensation.

(K. L. WADANE)
JUDGE

(R.M.BORDE)
JUDGE

dyb