

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

WRIT PETITION NO. 4988 OF 2017

**KUSUMBAI VITHALRAO KASLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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**Advocate for Petitioner : Mr. Jadhav S.V.
AGP for Respondents : Mr. A.S.Shinde**

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CORAM : R.M.BORDE AND K.L.WADANE, JJ.

DATED : 18th APRIL, 2017

O R D E R :

Leave to add the Executive Engineer, Minor Irrigation as party respondent granted. Amendment to be carried out forthwith. Learned A.G.P. waives notice for added respondent.

2. The grievance raised in the instant petition is in respect of refusal by respondents to pay the amount of compensation in spite of acquisition of land belonging to the petitioner for public purpose. It is not in dispute that the land of the petitioner has been taken in possession, however, the proceedings under the

provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (for short, 'the Act of 2013') were not initiated nor award has been declared and amount of compensation has also not been paid.

3. Learned A.G.P. for the respondents placing reliance upon the communication issued by the Sub-Divisional Officer, Ahmedpur, dated 18.4.2017 states that the notification under Section 11 of the Land Acquisition Act would be published after completing joint measurement and further steps would be taken within a period of 5 to 6 months.

4. Considering the facts and circumstances of the case, the Writ Petition stands disposed of with direction to the respondents to complete the proceedings in respect of acquisition of land including declaration of the award under the Act of 2013, as expeditiously as possible, preferably within a period of one year from today and it is

accordingly directed. The amount of compensation determined under award shall also be paid within the time stipulated as above.

5. Writ Petition is accordingly disposed of.

(K.L.WADANE, J.)

(R.M.BORDE, J.)

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