

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

927 WRIT PETITION NO. 795 OF 2016

M/S PAITHAN MEGA FOOD PART PVT LTD THROUGH ITS
AURHTORISED PERSON

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 5855/2015

NATH SEEDS LTD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 5873/2015

M/S PARESH FARMS PVT. LTD.

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 5878/2015

M/S TAPOVAN FARMS PVT. LTD.

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 6941/2015

NATH PULP AND PAPER MILLS LTD.

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 8675/2015

M/S AGRI TECH (INDIA) LTD.

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 12557/2015

MS ASHU NANDKISHORE KAGLIWAL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WRIT PETITION NO. 688 OF 2016

WITH

M/S SHIVNATH FARMS PVT LTD

VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS
 WITH
 WRIT PETITION NO. 692/2016
 M/S PRABHA FARMS PVT. LTD.
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Ms Neha Kamble h/for Mr.
 Adwant S. V.

AGP for Respondents State: Mr. V. M. Kagne
 Advocate for Respondent No.4:Mr. Ruturaj C. Patil

**CORAM : R. M. BORDE &
 K. L. WADANE, JJ.**

DATE : 12th April, 2017

ORDER:

1. Petitioners contend that some part of land belonging to the petitioners has been taken in possession by the respondents for public purpose, however there is no clarity as regards the extent of land taken and the purpose for acquisition. Affidavit in reply presented by the respondents/State is also devoid of necessary details. The Acquiring Body is also unable to place on record the joint measurement report specifying the extent of land acquired and Survey No./Gat Nos.

2. In the circumstances, it is desirable to direct the Collector to hold an appropriate enquiry and if at all certain land belonging to the petitioners is taken

in possession for public purpose, the Collector shall direct declaration of award and determination of compensation of the acquired land. It would be open for the petitioners, in the circumstances, to present detail application specifying their grievance to the Collector, seeking enquiry into the matter and for issuing necessary directions to the concerned officials.

3. If the petitioners tender applications within period of four weeks from today, the collector shall hold appropriate enquiry. The collector may also direct joint measurement of the land allegedly taken in possession for public purpose. If it is noticed that certain land belonging to the petitioners is taken in possession for public purpose, the Collector shall direct the initiation of land acquisition proceeding and direct determination of compensation of amount and declaration of award. On determination of amount of compensation, it would be obligatory on the part of the State and acquiring body to pay the amount so determined to the petitioners forthwith.

4. The Collector shall complete enquiry and also shall complete the process of declaration of award, if necessary, as expeditiously as possible, preferably

within a period of one year from the date of presentation of applications by the petitioners.

5. With the directions as above, writ petitions are disposed of. No costs.

(K. L. WADANE, J.)

(R. M. BORDE, J.)

JPC