

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

BENCH AT AURANGABAD.

WRIT PETITION NO.5938 OF 2014

Ajaz Khan S/o Hafiz Khan
and others. ...Petitioners.

Versus

The State of Maharashtra
and others. ... Respondents

...

**WITH
WRIT PETITION NO.6007 OF 2014**

Mr.A.R.Kale, advocate for the petitioners.
Ms.R.P.Gour, A.G.P. for the State.
Mr.A.S.Bajaj, advocate for Respondent No.3.

...

**CORAM : S.V.GANGAPURWALA AND
S.M.GAVHANE, JJ.**

Date : 14.11.2017.

PER COURT :

1. Mr.Darak, learned counsel for petitioners submits that the land of the petitioners was acquired pursuant to the notification U/s 126(4) of the Maharashtra Regional and Town Planning Act, 1966 read with

Section 6 of the Land Acquisition Act and subsequently award came to be passed. The petitioners are not paid the compensation amount nor the possession has been taken. In view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the acquisition stands lapsed.

2. Mr.Bajaj, learned counsel for Respondent submits that Full Bench of this Court in a matter of **"Mehtab Laiq Ahmed Shaikh and another Vs. State of Maharashtra and others"** reported in **2017 (6) Mh.L.J.408**, has held that provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, is not applicable to the proceedings initiated in terms of Sections 125 to 127 of the Maharashtra Regional and Town Planning Act, 1966.

3. In view of the judgment of the Full Bench of this Court, the challenge raised by the petitioners can not be considered.

4. The present Writ Petitions are considered qua the prayers made in the present petitions.

5. In case of any other right claimed by the petitioners, the petitioners are entitled to assail it in appropriate proceedings.

6. The Writ Petitions as such stand disposed of. No costs.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

