

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8001 OF 2016

Abasaheb Parasram Late and another .. **Petitioners**

Versus

The State of Maharashtra and others .. **Respondents**

Shri Sushant B. Choudhari, Advocate for the Petitioners.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.
Respondent No. 3 served.

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

DATE : **16th November, 2017**

PER COURT :

1. Initially notice was issued to the respondent on 1st August, 2016. In spite of service of notice none appeared for respondent No. 3. Thereafter on 28th September, 2017, notice of final disposal is issued to respondent No. 3. The notice of final disposal is also served upon respondent No. 3, still none appears for respondent No. 3.

2. It is submitted that the land of the petitioners was taken in possession on 1st July, 2005, for the purpose of Village Tank No. 2 - Belura. The construction of Village Tank is completed in the

year - 2007. According to the learned counsel for the petitioners as yet award is not passed nor any compensation amount is paid to them. The learned counsel submits that on 11.3.2016 letter is issued to the petitioner that now the proceedings would be conducted as per The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the same is not yet initiated.

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

4. The respondent No. 3 has consistently remained absent inspite of service of notice twice.

5. Considering the fact that the land of the petitioners has been taken in possession in the year-2005 and the purpose for which it was taken in possession has also been fructified in the year - 2007 itself and still no amount of compensation is paid to the petitioners, we pass the following order.

ORDER

The respondents shall initiate the proceedings under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within a period of three (3) months from today and shall complete the same within the period as stipulated under The Right to Fair Compensation and Transparency in

Land Acquisition, Rehabilitation and Resettlement Act,
2013.

6. The writ petition is accordingly disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]

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