

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

15 WRIT PETITION NO. 8457 OF 2016

MUKUND BHAGWAN SASTE
VERSUS
THE UNION OF INDIA AND OTHERS

...
Advocate for Petitioner : Mr. R.A. Deshmukh
AGP for Respondents: Mr. V.M. Kagne
ASG for Respondent No.1 : Mr. S.B. Deshpande

...
CORAM : R. M. BORDE & K.L. WADANE, JJ.
Date: April 26, 2017

...
PER COURT :-

1 The petitioner is praying for issuance of direction to respondent No.3 Land Acquisition Officer to determine the amount of compensation payable to the petitioner towards acquisition of his land for the purpose of construction of national high way in accordance with the provisions of the Right to Fair Compensation & Transparency In Land Acquisition, Rehabilitation & Resettlement Act, 2013 (herein after referred to as the Act of 2013). It is not a matter of dispute that respondent No.3 determined the amount of compensation in accordance with National High Way Act. The same shall have to be determined in accordance with Schedule I of the Act of 2013. The respondent No.3 has presented an affidavit in reply and has undertaken to determine the amount in accordance with 1st schedule of Act of 2013.

2 In view of the statement made, the petition deserves to be allowed and the same is accordingly allowed. Respondent No.3 is directed to determine the amount of compensation receivable by the petitioner in accordance with Schedule I of the Act of 2013 as expeditiously as possible and preferably within four months from today. On determination of amount of compensation, the National High Way Authority shall pay the amount and difference if any as expeditiously as possible within a period of two months from the date of such determination. With the directions as above, writ petition is disposed of. For any other grievance, it would be open for the petitioner to take steps in accordance with law.

(K.L. WADANE, J.)

(R. M. BORDE, J.)