

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

BENCH AT AURANGABAD.

WRIT PETITION NO.8988 OF 2016

Dr.(Major) Madhusudan
Srinivas Cherekar and
others. ... Petitioners.

Versus

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

...

Mr.H.I.Pathan, advocate for the petitioners.
Mr.P.S.Patil, Additional Government Pleader for
the State.
Mr.V.C.Solshe, advocate for Respondent No.4.

...

**CORAM : S.V.GANGAPURWALA AND
SMT.VIBHA KANKANWADI, JJ.**

Date : 02.11.2017.

PER COURT :

1. It is submitted by Mr.Pathan, learned
counsel that the possession of the petitioners'
land to the extent of 27 Ares from Gat No.74 and
3 hectares 35 Ares from Gat No.59 situated at

village Chera, Tq.Jalkot, Dist.Latur, is taken in possession by the Respondent No.4 for the purpose of storage tank. However, steps for acquisition are not taken as yet.

2. Learned Additional Government Pleader states that the acquiring body has sent proposal of 4 hectares 7 Ares, however, the proposal as per joint measurement ought to be for 4 hectares 14 Ares.

3. Mr.Solshe, learned counsel for Respondent No.4 on instructions states that the acquiring body has already sent the proposal to the Special Land Acquisition Officer.

4. The fact remains that acquisition proceedings are not initiated in respect of the land of the petitioner though the possession has been taken in the year 2009 as contended by the petitioner.

5. The acquiring body may verify its record and in consultation with Special Land

Acquisition Officer shall take corrective measures if required with regard to the proposal for acquisition of land of the petitioners. The same shall be done within a period of two (2) months. On receipt of proposal as stated above, the acquisition proceedings shall be initiated within a period of three (3) months thereafter and same shall be concluded 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.

(SMT.VIBHA KANKANWADI, J.) (S.V.GANGAPURWALA, J.)

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