

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

WRIT PETITION NO. 8192 OF 2017

Shivram s/o. Namdeo Mhetre & Ors. .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 8206 OF 2017**

Gorakhnath Eknath Ubale – deceased .. Petitioners
through LRs. & Ors.

Versus

The State of Maharashtra & Ors. .. Respondents

Mr.S.L.Bhapkar, Advocate for the petitioners.
Mr.S.G.Karlekar, A.G.P. for respondent/State.

**CORAM : R.M. BORDE &
S.M.GAVHANE, JJ.**

DATED : 07.08.2017

P.C. :-

1. Heard. The lands belonging to the petitioners is stated to have been acquired for construction of road during the year 1972. The petitioners have approached this Court seeking compensation in respect of the acquired lands. The belated request is made by the

petitioners after lapse of 45 years from the date of accrual of the cause of action. In the identical circumstances, the directions issued by this Court were the matter of consideration in the case of State of Maharashtra Vs. Digambar reported in 1995 (4) SCC 683.

The Hon'ble Supreme Court, while allowing the petitions tendered by the State, proceeded to set aside the favourable orders passed by this Court holding landholders entitled to claim compensation on the ground of delay and laches in approaching the Court. Since the instant matters also arise out of the identical set of facts, in view of decision in the matter of State of Maharashtra Vs. Digambar (Supra), no interference is called for. The petitions being devoid of substance, stand rejected.

[S.M.GAVHANE, J.]

[R.M.BORDE, J.]