

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

WRIT PETITION NO. 9758 OF 2016

Shri. Sunil s/o. Prabhakarrrao Nakhate,
Age 42 years, Occu. Agriculturist,
R/o. At Awargaon, Post Kille Dharur,
Tq. Kille Dharur, District Beed. **...Petitioner.**

Versus

1. The State of Maharashtra
Through it's Principle Secretary,
Department of Forest & Revenue,
Mantralaya, Mumbai - 32.
2. The District Collector,
Beed, District Beed.
3. The Tahsildar, Tahsil Office,
Kille Dharur, Tq. Kille Dharur,
Dist. Beed.
4. The Forest Ranger Officer,
Kille Dharur, Tq. Kille Dharur,
Dist. Beed. **....Respondents.**

Mr. B.V. Thombre, Advocate for petitioner.

Mrs. A.V. Gondhalekar, A.G.P. for respondents.

**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**
DATED : February 14, 2017.

ORAL JUDGMENT :

Rule. Rule made returnable forthwith. By

consent, heard both the sides for final disposal.

2) The petition is filed for giving direction to the respondents to pay compensation of Rs.40,000/- in respect of damage caused to crop soyabean which was standing in Gat No.97 of village Aawargaon, Tahsil Dharur, District Beed, belonging to the present petitioner. The petitioner is relying on the Government Scheme published in Government Resolution dated 28.9.2015. It shows that the Government has taken a policy decision to see that in such cases, assessment of damages is done by the authority and the compensation is paid within 30 days. Admittedly, damage was caused to the crop of soyabean standing in the field of petitioner and standing crop was on the area of 31 R. The panchanama was prepared on 25.7.2016 and the authority made assessment that the damage worth Rs.9,600/- was caused. It is the grievance of the petitioner that even this amount is not paid. It

is the case of petitioner that he is entitled to get atleast Rs.40,000/- as entire standing crop was damaged by wild animals.

3) The authority prepared the panchanama and it must have been prepared in presence of present petitioner. Copy of panchanama shows that petitioner has signed on panchanama. In view of these circumstances, now it is the duty of the respondents to pay the compensation to the petitioner to the extent of damage mentioned in the panchananma. However, considering the promise given by the Government that compensation will be paid within 30 days, this Court holds that interest needs to be paid on the amount which is due to the petitioner.

4) In the result, the petition is allowed. The respondents are hereby directed to pay the compensation which is fixed as Rs.9,600/- (Rupees nine thousand six hundred) by the respondents

along with interest at the rate of 8% p.a. and the interest will be payable after the expiry of period of one month from the date of assessment of loss. The amount is to be deposited within three months from today.

Rule is made absolute in aforesaid terms.

[SANGITRAO S. PATIL, J.] [T.V. NALAWADE, J.]

ssc/