

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

WRIT PETITION NO. 11131 OF 2016

Arun Deorao Lahane and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Ajeet B. Kale, Advocate for Petitioners.

Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 to 3 and 5.

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

DATE : 06TH OCTOBER, 2017.

FINAL ORDER :

. Heard the learned counsel for petitioners and the learned Additional Government Pleader for respondents/State. The limited prayer of the petitioners is to refer the dispute of apportionment of compensation in respect of land gut No. 40 situated at village Mahakala, Tq. Ambad, Dist. Jalna to the Civil Court.

2. The Sub Divisional Officer, Ambad and competent authority for land acquisition has filed affidavit in reply. Para 7 of the said affidavit reads as under :

7. I say and submit that the claim of

10 possessors amounting to Rs. 1,51,28,131/- is still not settled and paid and therefore, dispute in respect of said 10 possessors and claimants is now referred to the Principal Civil Court for final adjudication on 8/9/2017. A copy of reference of dispute u/section 3(h)(4) of National Highway Act, 1956 dated 8/9/2017 is annexed herewith and marked as Exhibit R - 1 for kind perusal of this Hon'ble High Court.

3. In view of the fact that, the dispute is already referred to the Civil Court for adjudication, the prayer of the petitioners stands fructified. It is also stated that, amount is now deposited with the Civil Court, as it appears from the letter dated 11.09.2017 (page 65).

4. In the light of the above, the writ petition is disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]