

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11211 OF 2016

Rajendra Mahadeo Tarate

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Nikhilesh K. Tungar, Advocate for the Petitioner.

Shri S. W. Mundhe, A. G. P. for Respondent Nos. 1 to 3 and 6.

Shri Deepak S. Manorkar, Advocate for Respondent No. 4.

Respondent No. 5 served.

WITH

WRIT PETITION NO. 11202 OF 2016

Najma Usman Bagwan and others

.. **Petitioners**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Nikhilesh K. Tungar, Advocate for the Petitioner.

Shri S. W. Mundhe, A. G. P. for Respondent Nos. 1 to 3 and 6.

Shri Prakash B. Paithankar, Advocate for Respondent Nos. 4 and 5.

CORAM : **S. V. GANGAPURWALA &**
MANGESH S. PATIL, JJ.

DATE : **28th September, 2017**

PER COURT :

1. In these petitions petitioners seek directions against the respondents to complete the acquisition proceedings as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. We have heard Mr. Tungar, the learned counsel for the petitioners. According to the learned counsel, the lands of the petitioners were acquired. Even acquisition proceedings were initiated under Act of 1984 but no award was passed. The respondent be directed to initiate the acquisition proceedings and complete it under the Act of 2013.
3. Mr. Manorkar, learned counsel for Acquiring Body in Writ Petition No. 11211 of 2016 and Mr. Paithankar, learned counsel for the Acquiring Body in Writ Petition No. 11202 of 2016 submits that, the Acquiring Body has already submitted the proposal with the Government for acquisition of the writ lands under the Act of 2013.
4. The learned A. G. P. states that there are some deficiencies in the proposal. Compliance are required to be made by the Acquiring Body and letter to that effect has been issued.
5. Considering the fact that there is no dispute that the lands of the petitioners are required to be acquired in consonance with the Act of 2013, we pass the following order:

ORDER

I] The Acquiring Body shall clear the deficiencies, if any, in the proposal submitted by them within a period of 1 month from today.

II] Upon clearance of the said deficiencies the acquisition proceedings shall be initiated within 3 months thereafter and shall be completed in accordance with the Act of 2013, within the period stipulated in the said Act.

6. The writ petitions are disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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