

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****Writ Petition NO. 504 OF 2016****Shri Mahadeo Bhagwan Pisal****...Petitioner***Versus***The Sub-Divisional Officer , Madha Division And Ors. ...Respondents**

*Mr.Tejas Deshmukh, for the Petitioner.**Mr.Vijay Patil, for Respondent No.3.**Ms.S.S.Bhende, AGP for the Respondent – State.*

**CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.****DATE :- FEBRUARY 1, 2017**

P. C. :-

1. Heard the learned Counsel for the Petitioner as well as the Respondents.

2. Apparently, the land of the petitioner came to be acquired for irrigation project in village Dahigaon, undertaken by Krushna-Khore Development Corporation. The possession of the lands was taken over way back in the year 1999 when the old Land Acquisition Act, 1894 was in force. However, no award came to be passed in terms of the Land Acquisition Act, 1894. After the commencement of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “the 2013 Act”)

only, an Award under Section 11 came to be made on 20 April 2015. According to the Petitioner, since the possession was taken over much prior to the date of the Award and the compensation was not paid, he is entitled for the consequences under Section 24(2) of the 2013 Act, and as he was deprived of his land from the year 1999, he should get more than what he has received as compensation.

3. Apparently, in terms of sub-Section (1) of Section 24 of the 2013 Act, the Award came to be passed only in the year 2015. The compensation determined is also in terms of the new Act of 2013. In that view of the matter, if at all the Petitioner is entitled for any further reliefs, it has to be only in terms of the new Act of 2013. If he is entitled for such benefits, he is at liberty to make an application for the same. At this stage, we are afraid that we cannot give any positive directions whether any additional benefits are to be extended to the Petitioner or not.

4. Accordingly, the Petition is dismissed.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)