

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9632 OF 2013

Late Shri Kashinath Deram and Babubai Thorat
Charitable Trust & Ors. .. Petitioners
V/s
Union of India & Ors. .. Respondents

Mr. A.A. Anturkar with Mr. Sugandh Deshmukh for the petitioners.
Mr. P.G. Sawant, AGP for the State.
Mr. Tejas Deshmukh for respondent no.5.
Mr. D.P. Singh for Union of India.

**CORAM: DR. MANJULA CHELLUR, CJ. &
G.S. KULKARNI, J.**

DATE : 27th FEBRUARY 2017

P.C.:

Learned counsel for the petitioners submits that during pendency of the writ petition, the award is passed on 16th July 2016 and a copy of the award is placed on record.

2. Since the writ petition was filed prior to coming into force of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “2013 Act”) and the reliefs the petitioners, in all probability, may seek is non-passing of award and its consequences under the Land Acquisition Act, 1894 and also in terms of Section 24 of the 2013

Act, we direct the petitioners to file a fresh petition with all contentions available to them.

3. Accordingly the writ petition is disposed of keeping all the contentions open. The interim protection with regard to possession granted during pendency of this writ petition will be extended to the petitioners for a period of 4 weeks.

(G.S. KULKARNI, J.)

CHIEF JUSTICE