

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION*

WRIT PETITION NO. 292 OF 2015

Shri Pramod Pandurang Patwardhan. .. Petitioner
Vs
The State of Maharashtra and others. .. Respondents

Mr.D.B.Lonkar, for the Petitioner.
Mr.A.B.Vagyani - Govt. Pleader a/w Mr.P.G.Sawant -AGP, for
Respondent-State.
Mr.Vijay Patil a/w Mr.Yogesh Patil, for Respondent Nos.5 & 6.

***CORAM : DR.MANJULA CHELLUR, CJ. &
N.M.JAMDAR, J.***

DATE : JUNE 7, 2017.

P.C.:

Petitioner is before this Court contending that he is entitled for compensation not under Land Acquisition Act of 1894 but it should be determined under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which came into effect from 01-01-2014. As per the reply affidavit of State as well as respondent nos.5 and 6, we note that so far as the 'Ujani Right Canal Project' they have formed a Committee for determination of compensation which is headed by the District Collector as Chairman of the Committee and Deputy

Collector (Land Acquisition) would be the Principal Secretary. So far as the land of the present petitioner is concerned proposal is already sent to the Collector Solapur and once the decision of the Committee is finalised the compensation amount would be paid after securing the necessary approval and consent. The writ petition is mainly with regard to direction to pay compensation. Since steps are already taken in terms of affidavit of the first respondent especially paragraph 5 of the affidavit nothing remains for us to consider the same and grant any positive direction. Accordingly, the writ petition is disposed of directing the respondent Authorities to proceed with the matter in accordance with the procedure contemplated.

(N.M.JAMDAR, J.)

CHIEF JUSTICE