

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

BENCH AT AURANGABAD.

**CIVIL APPLICATION NO.1741 OF 2018
IN
WRIT PETITION NO.7522 OF 2016**

Shivaji S/o Venkatrao Kendre
and others. ... Applicants.

Versus

Anusayabai W/o Govind Kendre
since deceased through L.Rs.
Sandhya W/o Govind Kendre,
Age 29 years, Occ. Agril.,
R/o Borgaon (Khurd),
Tq. Jalkot, Dist. Latur
and others. ... Respondents.

...
Mr.V.A.Dhakne, advocate for the applicants.
Mrs.Vaishali Patil Jadhav, A.G.P. for the State.
Mr.Rodge Patil, advocate for petitioner in W.P.
absent.

...

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

Date : 09.03.2018.

PER COURT :

1. Mr.Dhakne, learned counsel submits that the order dated 26.9.2017 in Writ Petition No.7522/2016 be modified to the extent that the Respondents be directed to initiate acquisition

proceedings within three (3) months and complete the same as stipulated in the Act of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Under judgment dated 26.9.2017, we had set aside the acquisition proceedings in view of provisions of sub-section (2) of Section 24 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is for the State either to initiate the acquisition proceedings or not. We can not compel the State to acquire the land.

3. In light of the above, no ground for entertaining the Civil Application. The Civil Application is disposed of. No costs.

(MANGESH S.PATIL, J.)

(S.V.GANGAPURWALA, J.)

