

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

WRIT PETITION NO. 2012 OF 2018

AMBADAS GOVINDA DHOBLE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioners : Shri Shinde Dhananjay M.
AGP for Respondent 1 : Shri S.K.Tambe.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 08th March, 2018

Per Court:

1 The Petitioners are aggrieved by the following order passed
by the LAR Court on 17.07.2017 :-

*"Considering nature of objection raised
before the Special Land Acquisition Officer, I do not
find any necessity to record the compromise unless
determining rights or all the party concern."*

2 The learned Advocate for the Petitioners has canvassed in
extenso as to why the compromise terms dated 17.07.2017 in between
Ambadas Dhobale, Shaikh Nazir and Smt.Sujan Gadekar should have been
accepted by the LAR Court and these parties should have been allowed to
share the money mentioned in the compromise terms.

3 The issue is with regard to the acquisition of the land Gat
No.108 in the DMIC Project. The LAR No.30/2017 is pending for about a

year. RCS No.375/2013 and RCS No.126/2016 have been initiated by Sarsabai Parande against the Respondents. Same are pending. The Trial Court did not appear to be comfortable in sanctioning the compromise in the light of certain disputed issues, as well as, in view of the compensation amount being involved in this matter.

4 I find that, for the present, the LAR Court has pragmatically declined to record the compromise terms keeping in view that the rights of the parties would be adjudicated upon in the LAR proceedings pursuant to which rightful owners would be apportioned the compensation amount.

5 Considering the above, I do not find that the impugned order could be termed as being perverse or erroneous.

6 The Writ Petition being devoid of merit is, therefore, dismissed.

7 At this stage, the learned Advocate for the Petitioners submits that the LAR Court may be directed to segregate the claims of the parties into different proceedings.

8 I do not wish to express any opinion on the same as it is a sub-judice matter and the claims of the rival parties are pending before the LAR Court. If such an application is filed by any of the litigating sides, the LAR Court may consider the same on its own merits.