

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

4 WRIT PETITION NO. 3121 OF 2018  
WITH WP/3122/2018 WITH WP/3123/2018 WITH WP/3124/2018 WITH  
WP/3125/2018 WITH WP/3126/2018

ASHRUBA YOGIRAJ SANAP AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioners : Mr. D.A. Bide  
AGP for Respondents: Mr. S.S. Dande

...  
CORAM : R. M. BORDE & K. K. SONAWANE, JJ.  
Dated: May 02, 2018  
...

PER COURT :-

1 The petitioners, whose agricultural land has been acquired for construction of a minor irrigation project, have approached this Court, making a grievance that the statutory benefits provided under section 34 of the Land Acquisition Act, 1894 have not been extended to them while determining the amount of compensation by the Land Acquisition Officer.

2 The Land Acquisition Officer has declared the Award on 16.11.2007. The Award statement indicates that the possession of the property has been taken over by the acquiring body on the date of declaration of Section 4 notification i.e. 25.9.2004. Though the award has been declared, the claimants have not been paid interest as provided under section 34 of the Land Acquisition Act.

3 If that be so, it would be the responsibility of the State and the acquiring body to pay the statutory benefits to the agriculturists. The petitioners have presented representation to the Collector on 18.8.2017, claiming the amount of interest as provided under section 34 of the Land Acquisition Act. However, the representations have not yet been decided.

4 In the circumstances, these petitions stand disposed of with directions to the Collector, Beed to take decision on the representations tendered by the petitioners, claiming statutory benefits under section 34 of the Land Acquisition Act in accordance with the provisions of law, considering the merits of the contentions, as expeditiously as possible and preferably within a period of four months from today. During the inquiry, if the petitioners are held entitled to receive the statutory benefits under section 34 of the Land Acquisition act, the amounts so determined, shall be paid to the petitioners by the State or Acquiring Body as expeditiously as possible and preferably within a period of three months from the said direction.

5 With the directions as above, the writ petitions are disposed of.

( K. K. SONAWANE, J. )

( R. M. BORDE, J. )