

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO. 4149 OF 2017

Shri. Nishant Shivaji Dhavalshankh & Anr.

Petitioners...

Versus

The Union of India & Ors.

Respondents...

.....
Mr N. K. Tungar, Advocate for the petitioners
Mrs M. A. Deshpande, AGP for respondent/State
.....

**CORAM : R. M. BORDE &
A. M. DHAVAL, JJ.**

DATE : 8TH JUNE, 2018.

PER COURT:-

. The petitioner is praying for issuance of directions to the respondents to compute the amount of compensation payable to the petitioner in respect of the acquired land in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “Act of 2013”) and to pay the same.

2. The petitioner contends that, the proceedings have been initiated and the land has been acquired after the enforcement of the act of 2013 i.e. after 01.01.2014 and as such, the compensation in

respect of the acquired land shall have to be determined in accordance with the provisions of the Act of 2013.

3. An affidavit-in-reply has been presented on behalf of respondent No. 4 - National Highway Authority of India, wherein it has been stated that the amount of compensation has not been deposited in the accounts of beneficiaries on or before 31.12.2014. As such, the petitioners are entitled for compensation as per First and Second Schedule of the Act of 2013.

4. The competent authority shall determine the amount of compensation payable to the petitioners in terms of the Act of 2013, as expeditiously as possible, preferably within a period of three months from today and on such determination, respondent No. 4 shall make payment within further period of three months.

5. With the directions as above, the writ petition is disposed of.

[A. M. DHAVALE]
JUDGE

[R. M. BORDE]
JUDGE