

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

20 WRIT PETITION NO. 4379 OF 2018

SOMNATH DNYANOBA PAUL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. A.N. Nagargoje
AGP for Respondents: Mr. S.S. Dande

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

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PER COURT :-

1 In view of the dispute raised before the Competent Authority, the matter has been referred to the Civil Court for determination by order dated 28.7.2017. The petitioner claims that he has purchased 80 R land out of total 82 R land belonging to the owner of the land. The acquired land is to the extent of 19 R whereas the original owner claims entitlement over 2 R land.

2 Considering the facts, according to the petitioner, he cannot be prohibited from withdrawing the amount of compensation for area to the extent of 17 R and in respect of the trees standing on the aforesaid land.

3 It would be open for the petitioner to make request for permitting him to withdraw the amount under section 3 (H) of the National High way Act, 1956 and on consideration of such application, the Forum /District Court shall pass appropriate order expeditiously.

4 With the direction as aforesaid, the writ petition is disposed of.

(K. K. SONAWANE, J.)

(R. M. BORDE, J.)