

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6961 OF 2018

Bapusaheb Bayaji Walunj

.. **Petitioner**

Versus

State of Maharashtra and others

.. **Respondents**

Mr. Shrikrishna S. Shinde h/f. Mr. Shankarrao G. Shinde, Advocate for the Petitioner.

Mrs. M. A. Deshpande, Addl. G. P. for Respondent Nos. 1 to 3.

Mr. Gulab B. Rajale, Advocate for Respondent No. 4.

CORAM: S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.

DATE: 17th DECEMBER, 2018

PER COURT :

1. Mr. Shinde, learned Advocate for the petitioner submits that, the land of the petitioner has been taken in possession by the respondent / acquiring body in the year-2001. Neither the compensation amount has been paid to the petitioner nor any acquisition proceeding has been initiated.

2. Mr. Rajale, learned Advocate for the acquiring body submits that, the proposal was submitted to the Government, however, said proposal is returned back. Now fresh proposal would be required to be submitted under the provisions of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (*hereinafter referred to 'Act of 2013'*). The learned Advocate submits that, some time would be required in doing the same.

3. We have heard the learned Additional Government Pleader also.

4. Considering the fact that, land of the petitioner has been taken in possession in the year-2001 and the petitioner has not been paid any farthing till date, it is expected of the acquiring body and the State to expedite the acquisition proceedings.

5. The respondent / acquiring body shall submit the proposal to the State for acquisition within a period of four (4) months from today and on receipt of the proposal the Land Acquisition Officer shall proceed to take steps under the Act of 2013 immediately and shall complete the process of passing the award within the time stipulated under the Act of 2013. With these observations the writ petition stands disposed of. No costs.

6. In case within the period of these four (4) months, the acquiring body is not in a position to get the sale deed executed from the claimant of the acquired land, then the process shall be followed under the provisions of the Act of 2013.

[R. G. AVACHAT, J.] [S. V. GANGAPURWALA, J.]

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