

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

974 WRIT PETITION NO. 2194 OF 2018

BALIRAM S/O PANDURANG MUNDHE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Dnyaneshwar A. Bide, Advocate for the
Petitioner.

Mr. N. T. Bhagat, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATED : 01st AUGUST, 2018.

PER COURT:-

1. Mr. Bide, learned counsel submits that the petitioners have filed application under section 28(A) under Land Acquisition Act on 27.04.2004, the same is not yet decided.

2. We have heard learned A.G.P.

3. This Court in Writ Petition No.10712 of 2016 under order dated 19.01.2017 had directed respondent no.2 to decide the application under section 28(A) expeditiously. It is submitted that even on 09.02.2017, the petitioners have filed application seeking expeditious disposal of the proceedings under 28(A). According to the

petitioners on 11.04.2016, the hearing is also given, but Award is not yet passed.

4. The respondents are duty bound to comply the order of this Court dated 19.01.2017 passed in Writ Petition No.10712 of 2016. Over 14 years the proceedings are not yet decided by the Authorities, the same would tantamount to dereliction of their duty.

5. The concerned Authorities shall decide the application under section 28(A) of the Land Acquisition Act filed by the petitioners on its own merits after hearing all parties concerned within a period of (06) six months. The petitioners shall appear before the concerned Authority on 08.08.2018.

6. Writ Petition is disposed of. No cost.

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE