

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

WRIT PETITION NO. 5311 OF 2016

**VAIJINATH JAIRAM PAWAR
VERSUS
THE COLLECTOR AND ANOTHERS**

Mr.A.S.More, Advocate for the petitioner.
Mr.N.T. Bhagat, AGP for the respondent/State.

**CORAM : S.V.GANGAPURWALA &
S.M.GAVHANE, JJ.
DATED : 11.09.2018**

P.C. :-

Mr. More, the learned counsel submits that the petitioner had filed a reference under Section 18 of the Land Acquisition Act on 09.06.1995. The petitioner had also deposited Court Fees of Rs.3,650/-. The acknowledgment has also been given of the receipt of the Court Fees by the respondent Authority on 09.06.1995. The learned counsel submits that the reference is not sent to the District Court by the Collector.

2. Learned AGP on instructions submits that the petitioner deposited the Court Fees of Rs.3650/-. However, the reference filed by the petitioner under Section 18 is not traceable with the office of the respondent authority.

3. We have adjourned the matter on number of occasions, for the AGP to take instructions about the

reference filed by the petitioner. More than 22 years have lost. Today the learned AGP on instructions of Circle Inspector Mr. Mandare submits that the office of the respondent has received the Court Fees stamp of Rs. 3650/-.

4. The acknowledgment of receipt of the Court Fees Stamp appears as per the acknowledgment submitted by the petitioner at page 14-A.

5. In such an eventuality there is no option but to direct the petitioner to reconstruct the reference and place it before the respondent authority within a period of four weeks from today. On receipt of the said reference the authority shall forward reference to the Court immediately.

6. The petitioner has undertaken that in case the reference Court enhances the compensation amount then the petitioner would waive the statutory benefits for the period from 1995 till August, 2018.

7. The Writ Petition is accordingly disposed of. No costs.

[S.M. GAVHANE, J.]

[S.V. GANGAPURWALA, J.]