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

WRIT PETITION NO.12124 OF 2017

1. Babasaheb S/o Limba Waybhat,
Age : 70 years, Occu. Agricultural,
2. Laxman S/o Limba Waybhat,
Age : 62 Years, Occu. Agricultural,
3. Sahebrao S/o Limba Waybhat,
Age : 60 Years, Occu. Agricultural,
4. Arun S/o Vishawanath Waybhat,
Age : 62 Years, Occu. Agricultural,
5. Vinod S/o Vishawanath Waybhat,
Age : 42 Years, Occu. Agricultural,
6. Rajendra S/o Kisan Waybhat,
Age : 61 Years, Occu. Agricultural,

All R/o Pimparnai, Tq. Beed,
Dist. Beed

..PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Department of Revenue and Forest,
Mantralaya, Mumbai – 32
2. The District Collector, Beed,
(Special Land Acquisition Officer,
Beed), Tq. & Dist. Beed
3. The Chief Executive Engineer,
Jaikwadi Irrigation Division No.3,
Beed, Tq. & Dist. Beed
4. The Deputy Engineer,
Irrigation Sub-Division, Majalgaon,
Post Telgaon, Tq. & Dist. Beed

..RESPONDENTS

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Mr Manoj U. Shelke, Advocate for petitioners;
Mr S.M. Ganachari, A.G.P. for respondents no.1 & 2

**CORAM : PRASANNA B. VARALE
AND
MANISH PITALE, JJ.**

DATE : 23rd October, 2018

ORAL ORDER:

Heard learned Counsel appearing on behalf of respective parties.

2. Mr Shelke, learned Counsel appearing on behalf of the petitioners submits that the petitioners are agriculturists. The respondents authorities initiated process for acquisition of their lands. Mr Shelke then invited our attention to the documents placed on record to show that these petitioners are the owners and possessors of the land and then also invited our attention to the copy of the proposal. Perusal of the proposal shows that the administrative approval was granted on 1st February, 2008. It is also not in dispute that the agricultural land of the petitioners to the extent of 2 Hectares and 64 Rs is sought to be acquired. Certain procedural formalities such as measurement of the land, etc. are also completed. Mr Shelke submitted that the possession of the land is taken in the year 2007. The grievance of the petitioners is, since year 2008, there is no progress in the matter either completing the formalities for acquisition of the land or to disburse the amount of compensation of the acquired land of the petitioners. It was further submitted before us that the petitioners submitted various

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representations to the authorities right from 2012 and one of such representations submitted latest in point of time is representation dated 24th July, 2017. A copy of the said representation is also placed on record.

3. Mr Shelke submitted that even after lapse of ten years period there is no progress in the matter and the petitioners are deprived of their land and also are deprived of the compensation to which they are entitled to.

4. Notice was issued by this Court on 4th October, 2017 and again on 23rd March, 2018 notice for final disposal of the petition was issued to respondents no.3 and 4. In spite of issuance of notice for final disposal, none appears on behalf of respondents no.3 and 4.

5. Learned Asstt. Govt. Pleader prays for some time on the ground that the instructions are awaited. Then the learned Asstt. Govt. Pleader submitted before us a communication dated 23rd April, 2018 received by the office of the Government Pleader. The same is taken on record and marked "X" for identification. The said communication is annexed with a communication dated 21st September, 2016. By communication dated 21st September, 2016, the Executive Engineer, Jayakwadi Irrigation Division No.3 communicates the Deputy Collector, Land Acquisition Co-ordination, Beed that it is necessary to acquire this land and to take steps in view of the relevant provisions of law. Then it is also stated that the Sub-Divisional

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Engineer, Irrigation Sub-Division, Beed is appointed as Nodal Officer to facilitate the process. This letter/communication is of year 2016. Even after issuance of this communication it seems that there is no further progress in the matter.

6. Considering all aforesaid facts, we are of the opinion that the petition can be disposed of with directions to the respondents. Accordingly, respondents are directed to complete the proceedings as expeditiously as possible and not later than twelve weeks from the date of the order of this Court. Needless to state, the respondents authorities, after completing the exercise and the process to take further steps in respect of quantification of the amount of compensation and disbursement of the amount to the petitioners. The further exercise be completed within eight weeks.

With above directions, the writ petition stands disposed of.

Registry to provide authenticated copy of the order to the learned Asstt. Govt. Pleader, who shall communicate the order to respondents no.1 and 2.

(MANISH PITALE, J.)

(PRASANNA B. VARALE, J.)

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