

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2752 OF 2018

Ambadas s/o Laxman Gaikwad

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioner.
Mr. P.K. Lakhotiya, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2755 OF 2018

Suratgir s/o Shankargir

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioner.
Mr. P.N. Kutti, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2756 OF 2018

Santu Ganpat Chavan
& another

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioner.
Mr. C.S. Kulkarni, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2757 OF 2018

Sominath Namdev Mhaske
& others

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioners.
Mr. P.K. Lakhotiya, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2772 OF 2018

Mohammad Hanif Maqbool Khan
& others

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioners.
Mr. C.S. Kulkarni, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2773 OF 2018

Bapurao Radhakishan Gavander
& another

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioners.
Mr. P.K. Lakhotiya, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2774 OF 2018

Kausalyabai Sitaram Zharwal
& others

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioners.
Mr. S.Y. Mahajan, A.G.P. for respondents.

WITH
WRIT PETITION NO. 2775 OF 2018

Tulshiram Asara Janghale

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. D.A. Bide, advocate for petitioner.
Mr. S.S. Dande, A.G.P. for respondents.

**CORAM : R.M.BORDE &
K.K. SONAWANE, JJ.
DATE : 14th MARCH, 2018**

PER COURT:

1 Petitioners claim that possession of their landed property was taken over prior to initiation of land acquisition proceeding and, they are entitled to claim rental compensation.

2. Petitioners tendered applications to the Collector / Sub Divisional officer to determine rental compensation. If at all, the lands belonging to petitioners have been taken over in possession for public purpose before initiation of land acquisition proceeding, petitioners shall be entitled to claim rental compensation on the amount determined under the award passed by the Land

Acquisition officer so also on the enhanced amount awarded by the reference Court, if any.

3. In the circumstances, the ends of justice would meet by issuing directions to respondents 3 and 4 to determine the amount of rental compensation payable to petitioners within specified time and by issuing further directions to respondent no. 5 to pay the same within specified period.

4. Writ petitions are thus disposed of with direction to respondents 3 and 4 to determine the amount of rental compensation in accordance with the provisions of law as expeditiously as possible, preferably within period of four months from today and it is accordingly directed. On determination of amount of rental compensation, if petitioners are entitled to receive the amount, respondent no. 5 shall make payment of amount so determined by respondents 3 and 4 as expeditiously as possible, preferably within a period of three months from the date of such determination.

5. With the directions as above, writ petitions are disposed of.

K. K. SONAWANE
JUDGE

R.M.BORDE
JUDGE