

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

BENCH AT AURANGABAD.

WRIT PETITION NO.13793 OF 2017

Balasaheb S/o Nivrutti Gore ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

WITH

**WRIT PETITION NO.13132 OF 2017
WRIT PETITION NO.13794 OF 2017
WRIT PETITION NO.13795 OF 2017
WRIT PETITION NO.13796 OF 2017
WRIT PETITION NO.13797 OF 2017
WRIT PETITION NO.13798 OF 2017
WRIT PETITION NO.13799 OF 2017
WRIT PETITION NO.13800 OF 2017
WRIT PETITION NO.13801 OF 2017
WRIT PETITION NO.13802 OF 2017
WRIT PETITION NO.13803 OF 2017**

...

Mr.D.A.Bide, advocate for the petitioners
Mrs.M.A.Deshpande, Additional Government Pleader
for the State.
Mr.D.P.Palodkar, advocate for Respondent No.4.

...

**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 23.04.2018.

PER COURT :

1. Mr.Palodkar, learned counsel for Respondent No.4 submits that the petitioners had the remedy to challenge the order of SDO, passed in their case either before the District Judge or MERC. Instead the petitioners gave fresh application.

2. Mr.Bide, learned counsel submits that petitioners have given fresh application raising the ground of parity.

3. In the present Writ Petitions, the petitioners have sought directions to redetermine the compensation of the affected land instead of that petitioners ought to have filed proceedings before the appellate authority/revisional authority as may be permissible in law.

4. Mr.Bide, learned counsel seeks leave to file appeals against the order of the SDO dated 23.12.2015 and/or 29.6.2016 for determining the claim.

5. We grant leave to the petitioners to take up appropriate proceedings in appeals/revisions before the appropriate authority against the order of the SDO.

6. Considering the fact that the Writ Petitions were filed by the petitioners, if appeals/revisions are filed before the competent authority within a period of four (4) weeks from today, the same be considered within limitation and shall decide it on its own merits in accordance with law.

7. All contentions of respective parties are kept open.

8. The Writ Petitions are disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

