

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1210 OF 2018

Mohan Anandrao Sarode and others .. **Petitioners**
Versus
The State of Maharashtra and others .. **Respondents**

Mr. Nikhilesh K. Tungar, Advocate for the
Petitioners.
Mr. S. P. Tiwari, A.G.P. for the Respondent /
State.
Mr. Gulab B. Rajale, Advocate for Respondent
No. 5.

WITH

WRIT PETITION NO. 1231 OF 2018

Ashok Raosaheb Rapate and others .. **Petitioners**
Versus
The State of Maharashtra and others .. **Respondents**

Mr. Nikhilesh K. Tungar, Advocate for the
Petitioners.
Mr. S. P. Tiwari, A.G.P. for the Respondent /
State.
Mr. Gulab B. Rajale, Advocate for Respondent
No. 5.

CORAM: S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.

DATE: 17th DECEMBER, 2018

PER COURT :

1. Mr. Tungar, learned counsel for the petitioners submits that though the possession of the petitioners land has been taken away long back in the year-1998, part of the compensation was also paid, however, subsequently award is not passed. According to the learned counsel, the respondents are duty bound to complete the acquisition proceedings in view of Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (*hereinafter referred to 'Act-2013'*).

2. Mr. Rajale, the learned counsel for respondent no. 5 - acquiring body, submits that the fresh proposals are already made to the State Government for acquisition under the Act-2013.

3. The factum that the land of the petitioners is acquired is not disputed.

4. Part of the compensation is also paid, however, award is not passed. In view of that the

provisions of Section 24 (1) (a) of the Act-2013 would apply.

5. As the proposals are already submitted by the acquiring body, the competent authority shall initiate the acquisition proceedings as per the law and on the basis of the proposals of the acquiring body within a period of eight (8) weeks from today and shall complete it within time stipulated under the Act-2013.

6. The writ petitions accordingly stand disposed of. No costs.

[R. G. AVACHAT, J.] [S. V. GANGAPURWALA, J.]

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