

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

WRIT PETITION NO. 11157 OF 2017

Ramdas s/o. Dashrath Hiwarde and Anr.                      ...Petitioners

Versus

The State of Maharashtra and Ors.                      ...Respondents

Mr. S.B. Solanke, Advocate h/f Mr. A.R. Shinde, Advocate for the  
Petitioners.

Mr. A.R. Kale, AGP for Respondents/State

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

**DATE: 31<sup>st</sup> AUGUST, 2018**

**ORAL ORDER :**

1. Heard the learned counsel for the petitioners. The grievance of the petitioners is, though the petitioners approached the respondent Nos. 2 and 3 by submitting representations dated 4<sup>th</sup> February, 2016 praying for grant of rental compensation till the date of filing Writ Petition, no heed was paid to the representation. It is also submitted before us that by way of judicial pronouncements, this Court as well as the Hon'ble Apex Court recommends the right for rental compensation to the rightful claimants. Thus, the learned Counsel prays for direction to the authorities namely, respondent Nos. 2 and 3 to decide the representation dated 4<sup>th</sup> February, 2016. The learned AGP submits that recently, the competent authority to consider such claim is the Special Land Acquisition Officer/Sub Divisional Officer attached to

Kannad/Khultabad, and if the petitioners submit a fresh representation to the competent authority, the competent authority may decide the representation within a stipulated period as directed by this Court. The learned Counsel for the Petitioners, in view of the statement of learned AGP, prays for amendment of the Writ Petition, thereby modifying the status of respondent No. 2 as the Special Land Acquisition Officer and Sub-Divisional Officer, Kannad/Khultabad, Dist. Aurangabad. The oral prayer is allowed and necessary amendment be carried out forthwith.

2. In view of the above referred facts, we are of the opinion that the Writ Petition can be disposed with directions to the petitioners as well as respondent No. 2 to submit a fresh representation to respondent No. 2 within one week from today. If such representation is submitted to the respondent No. 2 within one week from today, the respondent No. 2 to decide representation as early as possible and not later than 8 weeks from the date of receipt of the representation/application, needless to state, if it is already not decided. These directions would only meet the ends of justice and would cause no prejudice to the respondent authorities. Accordingly, the Writ Petition is disposed of with no order as to costs.

**( MANISH PITALE, J. ) ( PRASANNA B. VARALE, J. )**

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