

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

1007 WRIT PETITION NO. 13135 OF 2017

CHANDRAKANT PANDITSING PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS

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Advocate for Petitioners : Mr. Patil Prakashsing B.
AGP for Respondent Nos 1 to 4 : Mr.P.S. Patil
Advocate for Respondent No. 5 : Mrs.Jadhav Vaishali D.

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**CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.**

DATE : JULY 27, 2018

O R D E R :

Mr.Patil, learned counsel submits that the decision of the land has been taken in the year 2008. Subsequently notification under section 4 of the Land Acquisition Act is issued in the year 2013, but further process was not undertaken. Even the notice for joint measurement issued in the year 2017, however no further steps are taken for passing award and paying compensation amount to the petitioners.

2. Affidavit is filed by respondent No. 3. Affidavit states that the Executive Engineer, Medium Project No. I, Jalgaon submitted fresh proposal on 1.6.2018 stating therein that the land may be purchased by private negotiations as per Government Resolution dated 25.1.2017 and if the same does not materialize, then the land acquisition procedure be initiated. As it is not disputed that the land of the petitioners has to be acquired and that the possession is already taken by respondent no.3, we pass the following order :

3. Respondents shall acquire the land by private negotiations within six months and if the parties do not amicably agree for acquisition of land by private negotiations, then on lapse of six months immediately the procedure of acquisition of land shall be initiated as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,

2013 and same shall be completed within the period as stipulated in the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. Writ petition is accordingly disposed of.
No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

mahajansb/