

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7176/2016

Savlaram Maruti Pohekar & Ors.

... Petitioners

V/s.

State of Maharashtra & Ors.

... Respondents

Mr. P. M. Arjunwadkar for the Petitioners

Mr. P. G. Sawant, AGP for the Respondent State

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : MARCH 23, 2018

PC. :

1 Heard. The learned counsel for the Petitioner submits that the Petitioner may be permitted to file appropriate Application before the Collector as per Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for the same grievance. He submits that in the present proceedings, the award was passed on 31.08.2015 and thereafter they have filed the Writ Petition on 22.03.2016. He submits that considering the pendency of the present litigation, the Respondent Collector may be directed to decide their Application on its own merits without raising objection about the limitation.

2 Considering the submissions made by the learned counsel for the

Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Application.

3 Hence, the following order:

- a) The Petitioner is permitted to file appropriate Application u/s.64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 before the Collector within four weeks from today.
- b) If such an Application is made within stipulated time as stated hereinabove, the Collector to decide the same on its own merits without raising any objection about the limitation.
- c) Parties to act on an authenticated copy of this order.
- d) The Writ Petition stands disposed of accordingly.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)