

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.8622 OF 2018**

Haribhau Maruti Patil And Ors. .. Petitioners

V/s.

The Deputy Collector (Land Acquisition)

Metro Centre No.1 And Ors. .. Respondents

....

Ms. Deepa Punde, i/b. Sachin S. Punde, for the Petitioners.

Smt. Madhubala Kajle, 'B' Panel Counsel for Respondent Nos. 1, 2 and 5.

Mr. Sarth Diwan, i/b. Ashutosh Kulkarni, for Respondent Nos. 3 and 4.

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**CORAM: A.A. SAYED &
S.C. GUPTE, JJ.**

DATE : 7 SEPTEMBER, 2018.

P.C.:

. It is not in dispute that the issues raised in the Petition are identical to the issues raised in Writ Petition No.6061 of 2018 and would be covered by the order dated 27 August 2018 passed in the said Writ Petition No.6061 of 2018 [Dwarkabai S. Patil and Others vs. The Deputy Collector Land (Land Acquisition) and Others].

2. In the circumstances, for the reasons stated in the order dated 27 August 2018 in Writ Petition No.6061 of 2018, we pass the following order:

ORDER

- (i) We direct the Respondents to pay compensation to the Petitioners in terms of re-determined Award dated 26-07-2017 together with interest as per Section 34 of the Land Acquisition Act, 1894.
- (ii) The interest shall be awarded at the rate of 15% p.a., which shall be payable from the date of re-determined Award i.e. 26-07-2017 until payment.
- (iii) The aforesaid amounts shall be paid by the Respondents to the Petitioners within four months from today.
- (iv) Respondent No.1-Deputy Collector (Land Acquisition) shall send the proposal of payment of compensation alongwith interest to Respondent Nos.3 and 4 within four weeks from today. Upon Respondent No.3 and 4 receiving the proposal, payment shall be made to the Respondent No.1-Deputy Collector (Land Acquisition), within four weeks from the receipt of the proposal.
- (v) As soon as the aforesaid amount is received by the Office of the Respondent No.1-Deputy Collector (Land Acquisition), an intimation of the date fixed for receipt of the amount shall be issued to the Petitioners to receive the aforesaid amount.

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3. The Petition is allowed in the above terms.

Smita
Johnson
Gonsalves

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Johnson Gonsalves
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(S.C. GUPTE,J.)

(A.A. SAYED,J.)