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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7337 OF 2015

Krushna s/o Narayan Bhadrige and Others ..Petitioners

Vs.

The State of Maharashtra and Others ..Respondents

Mr. Mahesh H.Chandanshiy, for the Petitioners.

Mrs. Pushpalata N. Diwan, AGP, for the Respondents.

CORAM:-K. K. TATED & B. P. COLABAWALLA,JJ.
DATE :- JULY 13, 2018.

P. C.:

Heard. The main grievance of the Petitioners in the present Writ Petition is that the Respondents took possession of their land Gut No.2698/2 situated at Ale. Tal. Junnar, District Pune but they failed and neglected to pass the Award as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2 In reply to the present Petition, the Respondent Deputy Collector (Land Acquisition) No.3, Pune filed their affidavit in reply

dated 29th June, 2018. In this reply the Respondent specifically admitted that till today the Award is not passed by them. Paragraph 6 of the affidavit in reply reads thus:

*“6: I say that, since process of measurement of the said land is incomplete due to various reasons, the acquisition proceeding could not complete within prescribed period under the Land Acquisition Act, 1894. Hence the Respondent No.3 has communicated to the acquiring body I/.e. Respondent No.4 by letter dated 23.10.2017 thereby asked them to submit the fresh proposal of acquisition of the said land under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. copy of the letter dated 23.10.2017 is annexed herewith and marked Colly. as “**Exhibit-II**”.”*

3 The Respondents also relied on letter dated 23rd October, 2017 from the Deputy Collector Land Acquisition Officer-3, Pune to the Executive Engineer Respondent No.4.

4 Considering the submissions made by the learned AGP and the letter dated 23rd October, 2017, the Petition can be disposed of with direction to the Respondents to complete the acquisition proceeding as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5 With these directions, the Petition stands disposed of.

6 Parties to act on an authenticated copy of this order.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)