

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4062/2018

Kazi Akiloddin Sujaoddin

..Vs..

State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.A. Syed, Advocate for petitioner.
Shri N.R. Patil, A.G.P. for respondent Nos.1 to 5.

CORAM : B.P. DHARMADHIKARI AND Z.A.HAQ, JJ.

DATED : 10.7.2018.

Petitioner is not in a position to demonstrate a right to rental compensation after Section 4 notification under Land Acquisition Act, 1894 is published. This Court has found that compensation payable to petitioner is calculated by treating market value prevailing on that day as fair market value and accordingly compensation is calculated. Thus, when petitioner is getting compensation amount as on that date, it is apparent that he need not be paid any rental compensation thereafter. For delay in payment of compensation he is getting interest as per scheme of Land Acquisition Act, 1894. In various judgments

including **2015 (6) LJSOFT 105** (*Tukaram S/o Maruti Pawar V/s. State of Maharashtra & ors.*), we have looked into the controversy.

We, therefore, find challenge erroneous. The writ petition is **dismissed**. No costs.

JUDGE

JUDGE

Tambaskar.