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

WRIT PETITION NO.1276 OF 2019

1. Sheku s/o Laxman Solankar..died
Through his L.R.

1/A. Punjaram s/o Sheku Solankar,
Age: 70 years, Occ: Labour,
R/o. Kanchanwadi,
Tq. and Dist. Aurangabad. ..PETITIONER

VERSUS

1. The State of Maharashtra
Through the Collector at
Aurangabad, Dist. Aurangabad.

2. The Sub Divisional Officer,
Aurangabad, Dist. Aurangabad.

3. The Managing Director,
Water and Land Management
Institute, Kanchanwadi,
Tq. and Dist. Aurangabad. ..RESPONDENTS

Mr V.G. Mete, Advocate for petitioner;
Ms R.P. Gour, A.G.P. for respondent/State;

**CORAM : PRASANNA B. VARALE
AND
S.M.GAVHANE, JJ.**

DATE : 5th FEBRUARY, 2019

ORAL ORDER :

Heard learned Counsel appearing for the

(2)

petitioner.

2. A limited grievance is raised in the petition. The petitioner claims to be owner of certain agricultural lands. Notification under Section 4 of the Land Acquisition Act, 1894 was issued on 29th January, 1982. Award was also declared and possession was obtained of the said land are the facts submitted in the petition.

3. Learned Counsel appearing for the petitioner, by inviting our attention to the copy of the application, submitted before us that the application is pending before the Collector, Aurangabad. The petitioner along with application also placed on record the copy of judgment of this Court and the Hon'ble the Apex Court.

4. Though we are not very happy with the sequence of events, namely, the application submitted to the Collector on 13th December, 2018, the petition is filed in this Court on 14th

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January, 2019, when there is nothing on record to assume that the respondents-authorities, more particularly, Collector or competent authority, who is dealing the application causing unnecessary delay in decision, the party is approaching this Court within a span of hardly three weeks seeking directions to the authorities.

5. Learned Counsel for the petitioner submitted that in similar circumstances, the Division Bench of this Court in Writ Petition No.12194 of 2018 passed order on 14th December, 2018 thereby directing the authority to decide the application within stipulated period.

6. Resultantly, the petition is disposed of, with directions to respondent Nos.1 and 2 to decide the application filed by the petitioner, on the backdrop of judgment of this Court reported in **2001(2) Mh.L.J. 279** in the matter of **Rajaram Gajanan Gangal and others vs. Special Land Acquisition Officer**, as well as the judgment of the Hon'ble the Apex Court reported in **(2017) 9 S.C.C.**

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426 in the matter of **Narendra and others vs. State of Uttar Pradesh and others** expeditiously and preferably within eight (8) weeks from the date of this order. In case, the procedure contemplates hearing of the parties, respondent Nos.1 and 2 shall offer an opportunity of hearing to the parties.

7. With these directions, the petition is disposed of.

(**S.M.GAVHANE**)
JUDGE

(**PRASANNA B. VARALE**)
JUDGE

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