

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

39 WRIT PETITION NO.7505 OF 2018

**RAMESH BABULAL PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners: Mr Kale Ajeet B.

AGP for Respondents: Mr A, B. Chate

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 15th April, 2019

PER COURT :

1. Heard Mr. Kale, the learned Advocate for the petitioner. The learned Advocate submits that award is passed on 24.01.2014 in respect of the land acquired of the petitioner. As per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, if award is passed after introduction of the Act, 2013, compensation has to be determined as per provisions of the Act, 2013.

2. We have heard learned AGP also.

3. Award appears to have been passed on 24.01.2014 but while computing compensation, provision of Land Acquisition Act, 1894 seems to have been applied.

4. It is trite that if award is passed after 01.01.2014, then compensation has to be determined as per provisions of the Act, 2013.

5. In the light of above, the respondents are directed to determine the compensation to be paid to the petitioner as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a period of three months from today and thereafter shall make payment to the petitioner as per the amount determined, within a period of further three months.

6. Writ petition is accordingly disposed of. No costs.

(A. M.DHAVALA, J.)

(S.V.GANGAPURWALA, J.)

JPC