

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

108 WRIT PETITION NO.6197 OF 2018

KARBHARI BHIMA VAIDYA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr N J Pahune Patil
AGP for Respondents: Mr P G Borade

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 15th October, 2019

ORDER:

1. Mr Pahune-Patil, the learned counsel submits that the proposal is submitted by the acquiring body in June, 2019 and still acquisition proceeding is not initiated.

2. We have heard learned A.G.P.

3. Affidavit is filed by the Deputy Deputy, (Land Acquisition), Jayakwadi Project. Paras 8 and 9 of the affidavit read thus:

"8. I further say and submit that, the respondent No.3 have also issued reminder letter dated 15.12.2017 and 21.03.2018 to the respondent no.4 to submit the land acquisition proposal afresh in accordance with the provisions of the Right to Fair Compensation, Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013, however, till date the respondent No.4 has not submitted the

land acquisition proposal in respect of the land of the petitioner in accordance with the provisions of the the Right to Fair Compensation, Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013. the copy of the reminder letters dated 15.12.2017 and 21.03.2018 are annexed herewith and marked as Exhibit 'R-6' collectively.

9. I further say and submit that, admittedly in the light of above facts and circumstances, the land acquisition proceedings in respect of the land of the petitioners is required to be completed in accordance with the provisions of the the Right to Fair Compensation, Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013, and if the respondent no.4 submit the said proposal in the office of the respondent no.2, then, the respondent no.3 assures this Hon'ble Court that, the said land acquiring proposal shall be decided expeditiously as per the provisions of the the Right to Fair Compensation, Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013."

4. Pursuant thereto, it is submitted by the learned counsel for the petitioner that the acquiring body has forwarded the proposal in June, 2019.

5. In view of that first notification under the Right to Fair Compensation, Transparency in Acquisition,

Rehabilitation and Resettlement Act, 2013, shall be issued within a period of four months from today and further proceedings be taken up within the time stipulated under the the Right to Fair Compensation, Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013.

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

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC