

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4263 OF 2018

Babasaheb Rajabhau Ghate

.. **Petitioner**

Versus

Union of India and others

.. **Respondents**

Mr. R. A. Deshmukh, Advocate for the Petitioner.

Mr. R. R. Bangar, Sanding Counsel for Respondent
Nos. 1 and 3.

Mr. D. S. Manorkar, Advocate for Respondent No. 2.

Mr. K. B. Jadhavar, A.G.P. for Respondent / State.

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

DATE: 8th JANUARY, 2019

PER COURT :

1. The compensation to the extent of the land
acquired by the respondent - Authority for the
service road is not paid.

2. We have heard the learned counsel for
respective parties.

3. We have in Writ Petition No. 9143 of 2016
under order dated 27.11.2018 and also other writ

petitions held that as the land is situated in the Grampanchayat area, the Development Control Rules are not applicable. The petitioner would be entitled for compensation of the land acquired and affected under the service road.

4. In the light of above, the respondents shall calculate the amount of compensation for the land affected under the service road within a period of three (3) months from today and shall make the payment thereof to the petitioner within six (6) months.

5. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

marathe