

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

16 WRIT PETITION NO.9987 OF 2019

SHAIKH RASHID SHAIKH HASAN PATEL AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Shaikh Kayyum Najir  
AGP for Respondents/State : Mr. P. K. Lokhotiya.

**CORAM : S. V. GANGAPURWALA AND  
MANGESH S. PATIL, JJ.**

**DATE : 13/08/2019**

**PER COURT :**

1. Learned counsel submits that the application under section 28A of the Land Acquisition Act is pending with the authority since 2013. The same is not yet decided.
2. Learned A.G.P accepts notice for respondents No. 1 to 4 and submits that the application filed by the petitioner under section 28A of the Land Acquisition Act does not appear to be within limitation.
3. It is for the authority to consider all the aspects of the matter including limitation.
4. In case, the application filed by the petitioner under section 28A of the Land Acquisition Act is pending with the authority (page

53), then the authority shall take decision upon it on its own merits, in accordance with law, as per the procedure and after hearing all the parties concerned.

5. Writ petition is disposed of. No costs.

( MANGESH S. PATIL, J. )

( S. V. GANGAPURWALA, J. )

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