

(1)

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

WRIT PETITION NO.13142 OF 2017

1. Gahininath s/o Kahnuji Sanap,
Age : 70 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
2. Raghunath s/o Kahnuji Sanap,
Age : 68 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
3. Ekanath s/o Kahnuji Sanap,
Age : 65 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
4. Baburao s/o Kahnuji Sanap,
Age : 62 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
5. Arun s/o Kahnuji Sanap,
Age : 60 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
6. Indubai w/o Babasaheb Sanap,
Age : 55 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
7. Gorakh s/o Kisan Sanap,
Age : 50 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed
8. Nawanath s/o Kisan Sanap,
Age : 40 years, Occu. Agril.,
R/o Sawargaon (Ghat), Tal. Patoda,
Dist. Beed

..PETITIONERS

(2)

VERSUS

1. The State of Maharashtra,
Through Collector, Beed
2. The Deputy Collector,
Land Acquisition (Minor Irrigation
Department),
Beed, Dist. Beed
3. Executive Engineer,
Minor Irrigation (Water Conservation),
Beed Division, Beed,
Dist. Beed

..RESPONDENTS

Mr Sushant B. Choudhari, Advocate for petitioners;
Mrs M.A. Deshpande , A.G.P. for respondent nos.1 & 2

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

DATE : 10th January, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioners and learned A.G.P. on behalf of respondent nos.1 & 2. With the consent of the learned Counsel for the parties the petition is taken up for final disposal at the stage of admission.

2. The basic prayer of the petitioners is prayer clause (B) and the same reads thus :-

“(B) By issuing writ of mandamus of any other appropriate writ or directions in the like nature the Respondent No.1 to 3

(3)

may kindly be directed to decide the representation dtd.

27.01.2017 within specific period.”

3. The submission is, the petitioners are the land owners and the lands are situated in the area of village Sawargaon (Ghat), Taluka Patoda, District Beed, bearing Gat Nos.943, 945 and 916. The said lands of these petitioners were acquired by the respondents authorities. It is the further submission that though the possession of the lands was taken some time in 2003, the proceedings of land acquisition were initiated in the year 2013 under the provisions of the Old Act and in spite of the acquisition of the lands, no compensation was awarded to these petitioners. It is then submitted that the petitioners have approached the respondents authorities by submitting representation dated 27th January, 2017 raising the grievance before the authorities that the lands of the petitioners are acquired and they are now left landless having no other source of income, as such, the authorities may take appropriate steps immediately for grant of compensation of lands in view of the provisions of the New Act. As no decision was taken on the representation, the petitioners were constrained to approach this Court.

4. The aforesaid being the limited grievance, the petition can safely be disposed of by directing the respondents to decide the representation dated 27th January, 2017 within six weeks from today, needless to state on merits of the representation and the respondents are accordingly directed.

(4)

With the aforesaid directions, petition is disposed of.

(S.M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

amj