

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

29 WRIT PETITION NO.6495 OF 2018

BHARATSING GULABSINGH JAKHAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Kale Ajeet B.
AGP for Respondents State: Mr. S. K. Tambe

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

DATE : 14th February, 2019

PER COURT :

1. Learned counsel for the petitioners submits that Award under Section 28-A of the Land Acquisition Act has been passed by the Special Land Acquisition Officer after the Appeal preferred by the claimants, who had filed reference under Section 18 of the Act, is disposed of. The same was decided pursuant to the directions given by the Apex Court, however, while passing the Award, the benefit of interest under section 28 of the Act has not been awarded to the petitioners.

2. Benefit of interest under section 28 of the Act is to the extent of enhanced amount of compensation. The petitioner would be entitled to the interest under Section 28 of the Act. In the light of that the respondents shall also pay interest under section 28 of

the Act, as per the amount calculated under Section 28-A, to the petitioner, expeditiously, preferably within six months.

3. So far as claim of interest under section 34 of the Act is concerned, Mr. Kale, learned Advocate for the petitioners submits that he would take appropriate proceedings as is permissible in law. We have not expressed any opinion with regard to the interest under section 34 of the Act.

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

(A. M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

JPC