

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7989 OF 2018

Khandu Aaba Tambe and others .. **Petitioners**

Versus

The State of Maharashtra and others .. **Respondents**

Mr. S. E. Shekade, Advocate for the Petitioners.

Mr. S. M. Ganachari, A.G.P. for Respondent Nos. 1, 2 and 4.

Mr. K. B. Jadhavar, Advocate for Respondent No. 3.

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

DATE: 16th JANUARY, 2019

PER COURT :

1. The learned counsel for the petitioners submits that the consent award is passed on 09.11.2017 acquiring the petitioners land. The possession is taken by the acquiring body in the year – 2005. No compensation amount has been paid though the consent award is passed. More than one year has lapsed but the amount of compensation is not paid.

2. The award is consent award. The respondents were expected to pay the amount under the award.

The respondents cannot show apathy in making payment to the claimants.

3. Considering the fact that though more than one year has lapsed after passing the award and the amount of compensation has not been paid, we are constrained to direct payment of interest also on the amount of compensation arrived at.

4. The respondents shall make payment of the compensation amount as per the consent award within a period of six months from today. The said compensation amount shall also carry interest at the rate of 9% per annum for one year after the passing of the consent award and thereafter 15% per annum till the payment is actually made.

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

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

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