

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

26 WRIT PETITION NO.8545 OF 2018

**DNYANOBA BAPURAO SHENDGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. Sable Bhagwan R.

AGP for Respondents State: Mr. S. G. Karlekar

Advocate for Respondent No.3 :Mr. Gaikwad Ranjit B.

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

DATE : 29th January, 2019

PER COURT :

1. Award has been passed under section 28-A of the Land Acquisition Act on 18.11.2013. As yet compensation amount is not paid. Learned Advocate for respondent No.3 submits that initially, respondent no.3 was intending to file revision. However, subsequently revision is not filed. The budgetary provisions will have to be made and then the amount can be paid.
2. We have also heard the learned A.G.P.
3. The Award under section 28A is passed almost five and half years back. As yet, the amount of compensation is not paid to the petitioners. No steps were taken by the respondents to challenge the said award for all

these years. The respondents have deprived the petitioners of the amount of award under section 28A of the Land Acquisition Act for these five and half years.

4. In view of above, the respondents shall pay the amount compensation as per award under section 28-A of the Act within three months from today. We are inclined to mulct the respondents with interest. The respondents shall pay the said compensation amount with interest @ 9% per annum.

5. With the above observations, writ petition is disposed of. No costs.

(A. M. DHAVALÉ, J.)

(S. V. GANGAPURWALA, J.)

JPC