

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8806 OF 2018

SUDHAKAR NARAYAN KULKARNI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners :
Mr. Gaikwad Dnyaneshwar B.
AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
Respondent No. 4 - served

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, J.

DATE: 05th AUGUST, 2019

PER COURT:

1. According to the learned counsel for the petitioner, though the earlier notification U/Sec. 4 of the Land Acquisition Act, 1894 was issued on 30.12.2005, however, the further process of acquisition was not undertaken. The learned counsel submits that possession of land owned by the petitioner was taken by the respondent in the year – 2004 for percolation tank and the percolation tank was also constructed. The award has not been passed.

2. Respondent no. 4 is served with the notice of final disposal. Today also, none appears for respondent no. 4. We have heard the learned A.G.P. also.

3. Considering the fact that earlier acquisition proceedings were initiated in respect of the writ land and no further steps are undertaken, we pass the following order.

4. The acquiring body shall submit proposal for acquisition of land of the petitioner within a period of three (03) months from today. The respondents shall thereafter start the acquisition proceedings within a period of three (03) months and complete the same within the time stipulated under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. Writ Petition is accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]
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[S. V. GANGAPURWALA, J.]