

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

52 WRIT PETITION NO.9355 OF 2018

JAVEDKHAN JABBARKHAN MEVATI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Patil Prakashsing B.
AGP for Respondents/State : Mr. PK. Lakhotiya

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**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**
DATE : 23.07.2019

PC. :-

Heard the learned counsel for the petitioner and the learned A.G.P. The learned counsel for the petitioner submits that direction may be given to the respondents in view of the measurement notice dated 01.04.2015 to make the payment of compensation to the petitioner as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Affidavit is filed by the respondent no.4-acquiring body para 7 and 8 of the affidavit reads thus:

“7. I say and submit that, after fresh joint measurement report received from the Deputy Superintendent of Land Record, Bhokardan present deponent office will forwarded land acquisition proposal under the New Land Acquisition Act, 2013 to the Hon'ble Collector land acquisition Jalna and Sub Divisional Officer or

Land Acquisition Officer Bhokardan as early as possible. The project is not yet completed and still under progress.

8. *I say and submit that, considering the above facts and circumstances of the case, due to objection raised by the agriculturists including the petitioners, over the measurement done by the Government Officer, the Land Acquisition proposal could not be forwarded to the respondent nos.2 and 3 for further procedure and as the fresh joint measurement is ordered, as soon as the report of fresh joint measurement is received from the Deputy Superintendent of Land Record, Bhokardan present deponent office will forward the proposal under the new Land Acquisition Act, 2013 to the respondent nos.2 and 3 for further action.”*

3. In light of the above, the respondents shall get the joint measurement done from the office of the Land Record expeditiously preferably within four months. As per the report of the joint measurement further steps shall be taken for acquisition of the lands affected as per the measurement. The process shall commence after the joint measurement within three months and thereafter be completed within the time stipulated under the Right to Fair Compensation Act.

4. With these observations, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]