

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

961 WRIT PETITION NO.9505 OF 2019

GANGABAI GANPATRAO GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Bobade Yogesh K. & Shinde Ashish B
AGP for Respondents/State : Mrs. M.A. Deshpande
...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**
DATE : 31.07.2019

PC. :-

The learned counsel submits that the petitioner has received compensation pursuant to the award dated 28.01.2014 in respect of 8 R land i.e. gut no.20/2. The petitioner's name under the award is shown for gut no.20/2 and 20/3. 20/3 to the extent of 9 R. The learned counsel submits that in fact land of the petitioner from gut no.20/4 is acquired. A notice is also issued to the petitioner for compensation and the petitioner has already received compensation for land ad-measuring 8 R shown in gut no.20/2. The petitioner has filed application for remaining compensation of 9 R land shown in gut no. 20/3. The learned counsel submits that even the notice has been given by the Deputy Superintendent of Land Record to the petitioner to

remain present for the inquiry and spot inspection on 04.10.2018, however no further steps are taken.

2. We have also heard the learned A.G.P for the respondents.

3. If the petitioner claims that the petitioner is owner of gut no.20/4 and gut nos.20/2 and 20/3 in the award is wrongly shown, the petitioner has to move under Section 12-A of the Land Acquisition Act, 1894 for amendment of the award, the same has to be done within six months.

4. The petitioner pursuant to the award is already paid compensation for 8 R land shown in 20/2. The petitioner is claiming compensation for 9 R land shown in 20/3 and in the award the said lands are shown as against the name of the petitioner. It appears that on 04.10.2018 a notice was issued by the Deputy Superintendent of Land Record, Umri to the petitioner to remain present on 11.10.2018 on the site to inquire whether the land is from gut no. 20/4 and 20/9 and subsequently again notice was issued directing the petitioner to remain present on 09.01.2019.

5. The respondents shall take further steps pursuant to the notices issued by the Deputy Superintendent of Land Record to the petitioner on 01.01.2019 (page 37) and do the needful expeditiously the decision shall be

taken within a period of six months. In case the petitioner is held entitled to, then the further steps be taken with regard to the payment to the petitioner. The petitioner is also entitled to take steps as may be permissible in law.

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

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]