

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

WRIT PETITION NO. 10331 OF 2018

Shri Shriram Narayan Ubarhande
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Shri Sandeep N. Lute, Advocate for Petitioners.

Mrs. P. V. Diggikar, A.G.P. for Respondent Nos. 1 to 3.

Shri G. N. Patil, Advocate for the Respondent No. 4.

WITH

WRIT PETITION NO. 11212 OF 2018

Krishna Ramesh Waghmare
and another

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Shri Sandeep N. Lute, Advocate for Petitioners.

Mrs. P. V. Diggikar, A.G.P. for Respondent Nos. 1 to 3.

Shri G. N. Patil, Advocate for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATE : 22ND JANUARY, 2019.

FINAL ORDER :

. It is submitted by the learned counsel for petitioners that, possession of the petitioners' land has been taken in the year 2006 for construction of Sonkheda storage tank. However, award is not passed, nor any compensation amount is paid to petitioners, though

it is directed by the State authorities to the respondent No. 4 to pay the compensation as per the valuation.

2. Affidavit is filed by the Sub Divisional Officer Bhokardan to the effect that, though notifications U/Sec. 4 and 9 of the Land Acquisition Act, 1894 were issued, award was not passed. The respondent No. 4 has not completed the purchase though the permission to purchase the land has been given to the acquiring body.

3. Mr. Patil, the learned counsel for the respondent No. 4 submits that, now the budget has been received.

4. The respondents may purchase the properties of petitioners by private negotiation as agreed for within a period of four (04) months from today. In case the parties do not arrive at an agreement for private acquisition of the properties by purchase, then the steps shall be taken for acquisition as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a period of two months thereafter and same shall be completed within the time stipulated in the Act. The writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]