

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2027 OF 2019

RAJENDRA WAMAN WAYAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Lute Sandeep N.

ADDL.GP for Respondents No. 1 to 3 :

Mr. Yawalkar S. B.

Advocate for Respondents No. 4 & 5 :

Mr. Patil G. N.

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CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE: 04th NOVEMBER, 2019

PER COURT:

1. Mr. Lute, learned counsel for the petitioners submits that possession of the petitioners land has been taken by the acquiring body in the year 2006, acquisition proceedings are not yet initiated.

2. Mr. G. N. Patil, learned counsel for respondents no. 4 and 5 submits that the respondents are requesting the petitioners to initiate the purchase process as per the Circular and by accepting the compensation amount as per

the award dated 08.02.2016 and execute registered sale deed. The petitioners are not responding.

3. The learned Additional Government Pleader, on instructions, submits that the award has not been passed. The acquiring body has to submit the proposal for acquisition.

4. It is for the authorities to acquire the land by negotiations and if the negotiations are not fructified, then to initiate acquisition proceedings.

5. The respondents may negotiate with the petitioners and try to settle the issue by negotiation within four (04) months from today. If within four (04) months the negotiation does not fructify between the petitioners and the respondents, then the acquiring body shall submit the proposal to the State for acquisition of the petitioners land that is taken in possession within three (03) months thereafter and the acquisition proceedings shall be completed within the time stipulated under the provisions of the

Right to Fair Compensation and Transparency in
Land Acquisition, Rehabilitation and Resettlement
Act, 2013.

6. Writ Petition accordingly stands disposed
off. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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