IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 WRIT PETITION NO.11810 OF 2019

EKNATH BABURAO MADAN
VERSUS
THE STATE OF MAHRASHTRA AND ANOTHER
...
Advocate for Petitioner :Mr Vishnu B. Madan
AGP for Respondents State: Mr S G Karlekar
Advocate for Respondent No.2: Mr Alok Sharma

CORAM : S. V. GANGAPURWALA & ANIL S. KILOR, JJ.

DATE : 3rd October, 2019

ORDER:

1. Learned counsel submits that agricultural land of the petitioner was acquired for percolation tank which is situated at village Keligavhan Tq. Badnapur Dist. Jalna. It is submitted that the reference was filed under section 18 of the Land Acquisition Act and while passing the award, TDS amount is deducted though the same was not liable to be deducted. According to the learned counsel, the petitioner is entitled to receive the TDS amount deducted. The petitioner relies on the judgment of Division Bench of this Court in Writ Petition No.2115/2011 decided on 20.09.2011. The petitioner is entitled for the amount of TDS deducted from the compensation amount payable to him as the same is in respect of agricultural land acquired, situated in village

Keligavhan Tq. Badnapur Dist. Jalna. It is submitted that amount is already deposited with the Income Tax office.

2. The petitioner may file return and take necessary steps in that regard before the Income Tax office. The Income Tax authority shall consider the grievance of the petitioner in accordance with law.

3. Writ petition disposed of. No costs.

(ANIL S. KILOR, J.) **(S.V.GANGAPURWALA, J.)**

JPC