

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14895 OF 2017

ANKUSH RAMA MUSALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Atul B. Hawale, Advocate for petitioners
Mr. S.N. Kendre, AGP for respondent – State
Respondent no. 3 served - absent
...

CORAM : SUNIL P. DESHMUKH &
S.M. GAVHANE, JJ.
DATE : 23-07-2019

ORDER :

1. It is the case of petitioner that they are owners of agricultural land bearing *gat* no. 60 situated at Daskhed, Taluka Patoda, District - Beed. In 2000, respondents are stated to have taken possession of portion of 71 *Are* from aforesaid land of petitioners for the purpose of village tank no. 4 at Daskhed, however, had not paid any compensation. Petitioners pursued the matter and at long last, it appears that notification under section 4 of the Land Acquisition Act, 1894 had been purportedly issued on 10-04-2013. However, no further progress in respect of same had taken place and petitioners were not paid any compensation at all.

2. While notice had been issued in present petition in December, 2017, thereafter, no response has been filed on behalf of respondent no. 3. In the circumstances, averments in the petition go un-controverted.

3. We, therefore, deem it expedient to direct respondents to initiate acquisition proceedings afresh as early as possible and in any case, within a period of three (3) months from date of receipt of writ of this order and complete the acquisition proceedings pursuant to the applicable law. This order would not be an impediment for petitioner to make appropriate representation for loss of earning source from 2000.

4. Writ petition is disposed of.

[S.M. GAVHANE]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

arp/