

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9267 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through Lrs. ... Petitioners

V/s.

Shri. Bhiku alias Bhikaji Shankar
Kokate & Ors. ... Respondents

WITH
WRIT PETITION (STAMP) NO. 200 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs. .. Petitioners
V/S
Shri. Shivaji Nathu Devgirikar & Ors. .. Respondents

WITH
WRIT PETITION NO. 260 OF 2018

Shri. Baburao Maruti Pingale .. Petitioner
V/S
Sub Divisional Officer, Baramati & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 948 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs. .. Petitioners
V/S
Shri. Shivaji Sopan Sonavane & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 950 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs. .. Petitioners
V/S
Shri. Prakash Baban Bhosale & Ors. .. Respondents

WITH
WRIT PETITION NO. 1024 OF 2018

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Kusum Sadashiv Patki & Ors. .. Respondents

WITH
WRIT PETITION NO. 1818 OF 2018

Shri. Srirang Devram Gadadare & Anr. .. Petitioners
V/S
Savita Tukaram Raut & Ors. .. Respondents

WITH
WRIT PETITION NO. 1819 OF 2018

Vaman Bala Bande & Anr. .. Petitioners
V/S
Madhumilind Gajanan Deshpande & Ors. .. Respondents

WITH
WRIT PETITION NO. 1820 OF 2018

Shri. Dagadu Maruti Gaikwad & Ors. .. Petitioners
V/S
Shri. Subhash Ananta Deshpande & Ors. .. Respondents

WITH
WRIT PETITION NO. 5553 OF 2018

Shri. Baban Bhairu Londhe .. Petitioner
V/S
Shri. Datta Govind Raut & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 7798 OF 2017

Parvatibai Dnyanoba Lavange & Ors. .. Petitioners
V/S
Ankush Sakharam Katurde & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 7800 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Parvati Kalu Devgirkar & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 7801 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Ashok Sakharam Devgiri & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8561 OF 2017

Shri. Rajaram Balu Kullal & Ors. .. Petitioners
V/S
Sub Divisional Officer, Baramati & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8635 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Sub-Divisional Officer, Baramati & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8637 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Babubai Bhikaji Bhikule & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8640 OF 2017

Shri. Vithoba Ravaji Jadhav
(since deceased) through LRs. .. Petitioners

V/S
Dattu Dhondiba Raut & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8641 OF 2017

Shri. Sunil Kisan Gardare .. Petitioner
V/S
Sub Divisional Officer, Baramati & Ors. .. Respondents

WITH
WRIT PETITION (STAMP) NO. 8643 OF 2017

Shri. Mahadeo Nama Pangarkar
(since deceased) through LRs. .. Petitioners
V/S
Smt. Indubai Shripati Navghane & Ors. .. Respondents

WITH
WRIT PETITION NO. 9268 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs .. Petitioners
V/S
Shri. Hanumant Alias Hanuvati Genu
Sonavane & Ors. .. Respondents

WITH
WRIT PETITION NO. 9885 OF 2017

Babanrao Vithobha Pingle
(since deceased) through LRs .. Petitioners
V/S
Balasaheb Kondiba Khutekar & Ors .. Respondents

WITH
WRIT PETITION NO. 9886 OF 2017

Shripati Bhiva Thakar
(since deceased) through LRs. .. Petitioners
V/S
Ashok Ganpat Kokate & Ors. .. Respondents

WITH
WRIT PETITION NO. 9887 OF 2017

Dagadu Maruti Gaikwad
(since deceased) through LRs. .. Petitioners
V/S
Ramakar Pujanji Kshirsagar & Ors .. Respondents

WITH
WRIT PETITION NO. 9888 OF 2017

Mahadev Nama Pangarkar
(since deceased) through LRs .. Petitioners
V/S
Dinkar Tukaram Kokate & Ors. .. Respondents

WITH
WRIT PETITION NO. 9938 OF 2017

Balkrushna Dagadu Gaikwad & Anr. .. Petitioners
V/S
Arun Narayan Galinde & Ors. .. Respondents

WITH
WRIT PETITION NO. 10090 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Shri. Hanumant Gulabrao Kokate & Ors. .. Respondents

WITH
WRIT PETITION NO. 10415 OF 2017

Kaluram Gujaba Gaddare & Ors. .. Petitioners
V/S
Pandurang Baburao Kokate & Ors. .. Respondents

WITH
WRIT PETITION NO. 10416 OF 2017

Shri. Srirang Devram Gadadare & Anr. .. Petitioners

V/S
Ranjana Ramchandra Shinde & Ors. .. Respondents

WITH
WRIT PETITION NO. 10417 OF 2017

Shri. Jaysingh Kisan Gardare .. Petitioner
V/S
Vijaya Dattatray Raje & Ors. .. Respondents

WITH
WRIT PETITION NO. 10418 OF 2017

Kaluram Gujaba Gaddare & Ors. .. Petitioners
V/S
Raju Parvati Bhosale & Ors. .. Respondents

WITH
WRIT PETITION NO. 10419 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Shripati Dagadu Raut & Ors. .. Respondents

WITH
WRIT PETITION NO. 10748 OF 2017

Kerba Kondiba Piggale
(since deceased) through LR. .. Petitioners
V/S
Shri Vitthal Dagadu Raut & Ors. .. Respondents

WITH
WRIT PETITION NO. 10822 OF 2017
WITH
CIVIL APPLICATION (STAMP) NO. 4910 OF 2018

Mahadeo Nama Pangarkar
(since deceased) through LR. .. Petitioners
V/S
Sakharam Devaji Navaskar & Ors .. Respondents

WITH
WRIT PETITION NO. 10829 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Nathu Maruti Bhosale & Ors. .. Respondents

WITH
WRIT PETITION NO. 10988 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs. .. Petitioners
V/S
Shri. Shankar Ganpat Raut & Ors. .. Respondents

WITH
WRIT PETITION NO. 10995 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Shri. Dattu Nathu Jogade & Ors. .. Respondents

WITH
WRIT PETITION NO. 11021 OF 2017

Shivaji Baban Pingle & Ors. .. Petitioners
V/S
Raju Nathu Raut & Ors. .. Respondents

WITH
WRIT PETITION NO. 11022 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs. .. Petitioners
V/S
Shri. Somaji Rambhau Bhosale & Ors. .. Respondents

WITH
WRIT PETITION NO. 11023 OF 2017

Shri. Babanrao Vithoba Pingle

(since deceased) through LRs. .. Petitioners
V/S
Shri. Dhondiba Kondiba Khutekar & Ors. .. Respondents

WITH
WRIT PETITION NO. 11025 OF 2017

Shri. Babanrao Vithoba Pingle
(since deceased) through LRs .. Petitioners
V/S
Shri. Chandrakant Kondiba Khutekar & Ors. .. Respondents

WITH
WRIT PETITION NO. 11026 OF 2017

Paraji Tulashiram Kullai
(since deceased) through LRs .. Petitioners
V/S
Sub Divisional Officer, Baramati & Ors .. Respondents

WITH
WRIT PETITION NO. 11055 OF 2017

Sonaba Gangaram Khaladkar & Ors. .. Petitioners
V/S
Ganpat Bapurao Maral & Ors. .. Respondents

WITH
WRIT PETITION NO. 11056 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Shri. Janu Nagu Jankar & Ors. .. Respondents

WITH
WRIT PETITION NO. 13619 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Shri. Maruti Kondu Raut & Ors. .. Respondents

WITH

WRIT PETITION NO. 13631 OF 2017

Vaman Bala Bande & Anr. .. Petitioners
V/S
Sindhubai Maruti Jagdale & Ors. .. Respondents

WITH
WRIT PETITION NO. 13632 OF 2017

Shri. Rajaram Balu Kullal & Ors. .. Petitioners
V/S
Dilip Kashinath Kokate & Ors. .. Respondents

WITH
WRIT PETITION NO. 13736 OF 2017

Babanrao Vithobha Pingle
(since deceased) through LRs .. Petitioners
V/S
Devaji Govind Bhikule & Ors .. Respondents

Mr. S.S. Salunkhe for the Petitioners.
Mr. Sagar Pawar a/w Mr. Akshay Patil I/b S.K. Legal Asso. for the
Respondent No.1 in WP/10995/2017.
Mrs. Madhubala Kejale, 'B' Panel Counsel for Respondent State.

**CORAM : R.M.BORDE, &
PUSHPA V. GANEDIWALA, JJ.
DATE : 1st MARCH, 2019**

: JUDGMENT (PER R.M.BORDE,J) :

1. Heard. Rule. With the consent of parties, petitions are taken up for final hearing at the admission stage.
2. It is not a matter of controversy that the instant group of petitions proceed on the same facts as in case of decided Writ Petition bearing No. 10413 of 2017 decided on 08.01.2019 by the

Division Bench of this Court to which one of us (R.M. Borde, J) is a member.

3. Since the issue raised is no more res-integra and has already been dealt with in the aforesaid petition, the instance group of petitions can also be disposed of by issuing similar directions as in case of decided writ petition. The communication issued by the Sub-Divisional Officer, Sub Division Baramati addressed to the Assistant Government Pleader on 22.02.2019 giving the details in respect of publication of notification under Section 4, a declaration under Section 6, the date of the Award and other details, is taken on record and marked "X" for its identification.

4. On perusal of the communication dated 22.02.2019, it appears that the instant petitions are similar in all respect as in case of decided matter and the award which is subject matter of these petitions is also common. In this view of the matter, these petitions can be disposed of in terms of directions issued in Writ Petition No. 10413 of 2017. It is therefore, directed:

For the reasons as aforesaid, the Writ Petitions deserve to be allowed and the same are accordingly allowed. The Award declared by the Land Acquisition Officer on 31.10.2001 so far as it relates to the Petitioners is concerned, shall stand quashed. Since the

possession of the property has been taken over by the acquiring body, the amount of compensation shall have to be determined by observing the procedure prescribed under the Act of 2013. The Respondents are directed to complete acquisition proceedings in respect of determination of amount of compensation and declare award and pay compensation so determined under award within one year from today.

5. Rule is accordingly made absolute. No costs.

(PUSHPA V. GANEDIWALA, J.)

(R.M.BORDE, J.)