

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

WRIT PETITION NO.9674 OF 2018

Arun Balaram Patil & Ors.

.. Petitioners

Vs.

The Deputy Collector (Land Acquisition)

Metro centre No.3, Panvel & Ors.

.. Respondents

.....

Ms.Deepa Punde i/b. Mr.Sachin S. Punde, Advocate for the
Petitioners.

Mr.R.S. Pawar, AGP for Respondent Nos.1, 2 and 5 - State.

Mr.Sarthak Diwan a/w. Chandni Sachade i/b. Mr.Ashutosh
Kulkarni, Advocate for Respondent Nos.3 and 4.

.....

**CORAM : A.A. SAYED AND
PRAKASH D. NAIK, JJ.
DATED : JULY 30, 2019.**

P.C. :

It is not in dispute that the issue raised in the Petition is squarely covered by the order dated 27th August, 2018 of the Division Bench of this Court in ***Writ Petition No.6061 of 2018 (Dwarkabai S. Patil & Ors. Vs. The Deputy Collector (Land Acquisition) & Ors.)***. In the Affidavit-in-Reply filed on behalf of Respondent Nos.3 and 4-CIDCO, it is admitted that the Petitioners are entitled to payment of compensation under the re-determined Award under Section 28A of the Land Acquisition Act. Hence, we pass the following order:

:: ORDER ::

- (i) We direct the Respondents to pay compensation to the Petitioners in terms of re-determined Award dated 31st July, 2017 together with interest as per Section 34 of the Land Acquisition Act, 1894;
- (ii) The interest shall be awarded at the rate of 15% p.a., which shall be payable from the date of re-determined Awards i.e. 31st July, 2017, until payment;
- (iii) The aforesaid amounts shall be paid by the Respondents to the Petitioners within three months from today;
- (iv) Respondent No.1-Deputy Collector (Land Acquisition) shall send the proposal of payment of compensation alongwith interest to Respondent No.4-CIDCO within four weeks from today. Upon Respondent No.4-CIDCO

receiving the proposal, payment shall be made to the Respondent No.1-Deputy Collector (Land Acquisition), within four weeks from the receipt of the proposal.

- (v) As soon as the aforesaid amount is received by the Office of the Respondent No.1-Deputy Collector (Land Acquisition), an intimation of the date for receipt of the amount shall be issued to the Petitioners to receive the aforesaid amount;

2 The Writ Petition is allowed in the above terms.

(PRAKASH D. NAIK, J.)

(A.A. SAYED, J.)