

WRIT PETITION NO.1446 OF 2019

Mr.S.S.Punde for the Petitioner.
Mr.R.S. Pawar AGP for the Respondent Nos.1, 2 and 5 (State).
Mr.A.R.Patil for the Respondent Nos.3 and 4.

P.C.:

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Land Acquisition Officer under section 12(2) of the Act. It is the contention of the petitioner that though notice has been received by him calling upon him to collect the amount of compensation in the year 2016, the amount has not yet been disbursed.

2] We have heard respective counsel for the parties.

3] Learned counsel appearing for the CIDCO states that the amount of compensation recorded in the notice issued under section 12(2) of the Act would be deposited, if the same has not been deposited, with the Land Acquisition Officer and the said amount would be disbursed to the petitioner through the Land Acquisition Officer. The statement made is accepted. The CIDCO shall deposit the amount recorded in the notice under section 12(2) of the Act with the Land Acquisition Officer, who shall disburse the said amount to the petitioner within a period of eight weeks from today. The Land Acquisition Officer shall, on deposit of amount by CIDCO shall disburse the same to claimant, forthwith. In case amount of compensation is already deposited by CIDCO, with the Land Acquisition Officer, same shall be disbursed forthwith.

4] It is pointed out by counsel appearing for the petitioner that the amount of interest has been determined till the date of issuance of notice under section 12(2) of the Act i.e. upto 11th July, 2016. The petitioner is entitled to claim interest on the amount of compensation in accordance with section 28 of the

Act till the date of payment. The entitlement of the claimant to receive the amount of interest statutorily required to be paid cannot be denied and the respondent – Land Acquisition Officer need to be directed to compute the amount payable to the petitioner towards the interest from 1st July, 2016 till the date of payment. The computation shall be made by the Land Acquisition Officer within a period of two weeks from today. The CIDCO shall deposit the amount payable towards the interest as recorded above with the Land Acquisition Officer within a period of one month from the date of computation of the amount by the Land Acquisition Officer. The amount of interest computed by the Land Acquisition Officer, as above, shall be deposited by the CIDCO with the Land Acquisition Officer and the same shall be disbursed to the petitioner – original claimant within a period of five months from today.

5] In view of the above directions, Writ Petition is disposed of.

(N. J. JAMADAR, J.)

(R. M. BORDE, J.)