

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2388 OF 2020

Sanjay Laxman Kapse and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Sushant B. Chaudhary, Advocate for Petitioners.

Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 06TH FEBRURY 2020.

FINAL ORDER :

. Mr. Chaudhary, the learned counsel for petitioners submits that, the land to the extent of 9H02R is acquired for the underground pipeline of Krushna Marathwada Irrigation Scheme Stage No. 5. Under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 notification is issued giving the details of the land of the petitioners and others to the extent of 9H 02R being affected under acquisition. The draft award is also passed to that effect. However, Collector directed to pass fresh draft award of the land acquired to the extent of 4H 71R only. The learned counsel submits that, when the entire land of the petitioners is affected, the respondents cannot pass award for the less area. The information has been supplied under the Right to Information Act to the petitioners.

2. As yet award has not been passed. It is also not the case of the petitioners that, the possession of the entire 9H 02R land is taken by the respondents. It is only after the final award is passed and the petitioners have some grievance, then the petitioners can agitate in respect of the same.

3. At present, the writ petition is premature.

4. In the light of that, the writ petition is disposed of. All contentions are kept open. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 20