

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

WRIT PETITION NO. 15180 OF 2019

Arun Laxman Giri

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Ramchandra J. Nirmal, Advocate for the Petitioner.
Mrs. Rashmi P. Gaur, A.G.P. for Respondent Nos. 1 to 4.
The Respondent No. 5 is served.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.
DATE : 25TH FEBRURY 2020.**

FINAL ORDER :

. The learned counsel for the petitioner submits that, the petitioner had filed application seeking rental compensation. Same was not decided, as such the petitioner had filed writ petition bearing Writ Petition No. 4540 of 2019. This Court under order dated 10th April, 2019 directed the authorities to decide the application for rental compensation.

2. The authority instead of deciding issue of rental compensation decided other issues which were not germane to the matter. It considered about existence of Sitaphal trees and other trees. Same was not issue involved.

3. We have also heard the learned Assistant Government

Pleader for respondent Nos. 1 to 4.

4. It appears that, the Sub Divisional Officer while passing the impugned order mixed up the issues. The petitioner was only seeking rental compensation and not compensation with regard to the trees under the application for rental compensation.

5. In the light of that, impugned order is quashed and set aside. The authorities shall decide the application of the petitioner for rental compensation on its own merits, expeditiously and preferably within a period of six (06) months from today.

6. In view of the above, the writ petition is disposed of. No costs.

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

bsb/Feb. 20