

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

**WRIT PETITION NO. 4869 OF 2021**

Hiralal Atmaram Deore and others                      ..    Petitioners

**Versus**

The Union of India and others                      ..    Respondents

Shri Bipinchandra K. Patil, Advocate h/f Shri Ashok D. Raut,  
Advocate for Petitioners.

Mrs. Sudha Chitamani, Advocate for Respondent Nos. 1 and 4.

Mrs. P. V. Diggikar, A.G.P. for Respondent Nos. 2 and 3.

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

**DATE : 18TH MARCH, 2021.**

**FINAL ORDER :**

.        We have heard Mr. Patil, the learned advocate for petitioners, the learned advocate for the respondent Nos. 1 and 4 and the learned Assistant Government Pleader for respondent Nos. 2 and 3.

2.        The Special Land Acquisition Officer has passed an award granting compensation to the petitioners. The petitioners sought enhanced compensation before the Arbitrator. The Arbitrator partly allowed the claim of the petitioners by granting enhancement. The petitioners seek further enhancement by filing the present writ petition.

3.        Mr. Patil, the learned counsel for petitioners submits that,

arbitrator has also granted meager amount of compensation. All the relevant aspects are not considered by the Arbitrator. The evidence was produced for granting higher quantum of compensation. The arbitrator ought to have granted compensation at the rate of Rs. 8,000/- per square meter. The same would be proper and reasonable.

4. The award passed by the arbitrator can be assailed before the District Court U/Sec. 34 of the Arbitration and Conciliation Act (for short “said Act”) and the order passed U/Sec. 34 of the said Act can be further assailed U/Sec. 37 of the said Act.

5. The petitioners in the present petition have also not assailed the award passed by the Arbitrator. The award passed by the arbitrator has become final.

6. In view of the statutory provision, it would be inappropriate to entertain the present writ petition under Article 226 of the Constitution of India. The writ petition as such is disposed of. No costs.

7. In case the petitioners have a remedy available in law and limitation, then the petitioners may take up appropriate steps.

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