

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
1008 WRIT PETITION NO.6216 OF 2019

BABAN VITHOBA LAGAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS
AND
WRIT PETITION NO.6257 OF 2019

AMBADAS SAMPAT WAHUL

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Ms. Mangal V. Manal, Advocate for the Petitioners.
Mr. S. G. Karlekar, AGP for Respondents-State.

...

CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.

DATED : 12th AUGUST, 2021.

PER COURT:-

1. Heard learned counsel for petitioners.

2. The grievance of petitioners is that, the lands of petitioners have been taken in possession by respondents for constructions of percolation tank way back in the year 2009. The acquisition proceedings are not initiated.

3. The affidavit is filed by respondent nos.2 and 3 to the effect that the proposal was received from respondent no.5 for acquisition of the petitioners' lands. 13 lacunas were pointed out by respondent nos.2 and 3 to respondent no.5. The respondent no.5 was directed to submit proposal for

clearing all the deficiencies. The respondent no.5 has not yet submitted the proposal by clearing the deficiencies.

4. It is further stated on affidavit by respondent nos.2 and 3 that, if the proposal is submitted by respondent no.5, then in that event, the acquisition proceedings would be initiated either by way of direct negotiations or by following due process as per the Provisions of Right to Fair Compensation Act.

5. In view of the affidavit filed by respondent nos.2 and 3, we pass the following order:

ORDER

a. The respondent no.5 shall forward the proposal complete in all respect preferably within a period of four (04) months.

b. Upon receipt of the proposal from respondent no.5, the proceedings be initiated for acquisition preferably within a period of four (04) months from the date of receipt of the proposal and the same shall be completed as per the Provisions of Right to Fair Compensation Act.

6. With these observations, Writ Petitions are disposed of. No costs.

(R. N. LADDHA)
JUDGE

Devendra/August-2021

(S. V. GANGAPURWALA)
JUDGE