

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

152 WRIT PETITION NO.9919 OF 2021

VITHAL RAYAPPA KAMBLE (DIED) THROUGH HIS LRS
CHANDARBAI VITHAL KAMBLE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. J. M. Murkute
AGP for Respondents No. 1 to 3: Mr. S. P. Tiwari

...

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

DATE: 15th NOVEMBER, 2021

PER COURT:

1. Heard Mr. Murkute, learned Counsel for the Petitioners and Mr. Tiwari, learned A.G.P. for Respondents No. 1 to 3.

2. The grievance of the Petitioners is that the applications under Section 28-A of the Land Acquisition Act, 1894 are not decided on the ground that the correction in the Award could not have been made after six months. The Petitioners were seeking re-determination of the compensation under Section 28-A of the Land Acquisition Act, 1894 pursuant to the Award passed by the Reference

Court under Section 18 of the Land Acquisition Act, 1894.

3. In the view of above, we direct the Competent Authority to decide the applications of the petitioners U/Sec. 28-A of the Land Acquisition Act, 1894 keeping in view the Judgment delivered by the Reference Court in L.A.R. No. 477 of 2012. Of course, it would consider all aspects such as limitation and other aspects of the matter while deciding the applications U/Sec. 28-A of the Land Acquisition Act, 1894. The same shall be decided afresh on it's own merits, preferably within a period of six (06) months.

4. Writ Petition accordingly stands disposed of.
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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