

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
1011 WRIT PETITION NO.7455 OF 2019**

SARJERAO NAMDEO DAHAKE AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Saneep N. Lute, Advocate for the Petitioners.
Mr. S. P. Tiwari, AGP for Respondents-State.
Mr. R. J. Nirmal, Advocate for Respondent No.5.

...
**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.
DATED : 12th AUGUST, 2021.**

PER COURT:-

1. The learned counsel for petitioners submits that the lands of petitioners have been taken in possession by respondents for construction of percolation tank in the February 2008, still acquisition proceedings are not initiated. The petitioner is not paid with the compensation amount.

2. We have heard Mr. Nirmal, learned counsel for the Zilla Parishad and the learned A.G.P.

3. It also appears that, Notification under Section 4 of the Land Acquisition Act was issued on 13.01.2012, but no further steps are undertaken.

4. In view of that, it cannot be disputed that, the respondents intended to initiate the acquisition proceedings, but further steps after Notification under Section 4 of the Land Acquisition Act are not undertaken.

5. In light of that, we pass the following order:

ORDER

a. In case, there is no other impediment, then respondent nos.4 and 5 shall forward the proposal for acquisition to respondent nos.2 and 3 within a period of four (04) months.

b. Upon receipt of the proposal for acquisition, the Competent Authority shall initiate process for acquisition within a period of four (04) months. The same shall be completed within the time stipulated under Right to Fair Compensation Act.

6. With these observations, Writ Petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE