

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

937 WRIT PETITION NO.7837 OF 2020

MANOJ ASHOK AGRAWAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. D. S. Bagul.
AGP for Respondents-State : Mr. S. K. Tambe.
ASGI for Respondent No.9 : Mr. A. G. Talhar.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 22.07.2021

PER COURT :-

1. We have heard the learned advocate on behalf of the petitioners and the learned AGP
2. Mr. Bagul makes a statement that deficit Court Fees of Rs.250/- have been deposited.
3. We have perused the orders passed by a Co-ordinate Bench of this Court dated 15.03.2021, in Writ Petition No.7622 of 2020 filed by Kailas Badriprasad Agrawal Vs. The State of Maharashtra and others, and dated 15.09.2017, in Writ Petition No.9087 of 2016 filed by Sanjay Kailas Agrawal and

another Vs. The State of Maharashtra and others.

4. Paragraph No.11 of the affidavit-in-reply dated 15.03.2021 filed by Mr. Vinod Arjun Wagh, Sub Divisional Officer, Public Works Sub Division, Sakri, District Dhule - respondent No.6 herein, reads as under :

"11. I say and submit that, this land is part and parcel of old alignment of MSH-8 Shewali - Nijampur - Nandurbar - Gujrath road and now NH-753B till date. There is no record found of acquisition of land for old and existing alignment of above said road. The Deputy Superintendent of Land Record conducted on site measurements of land in question and prepared the measurement sheet which indicates that, for road purpose 0.54 Hector land of petitioner is affected and the said report is submitted with office of the deponent, further steps in this matter is in progress. This deponent undertakes to forward the proposal for acquisition of land and will take appropriate steps for acquisition of land of the petitioners as expeditiously as possible according to law."

5. In view of the above, it is apparent that land admeasuring 0.54 Hectors belonging to the petitioners, is affected. The measurement of land in question has been carried out by the Deputy Superintendent of Land Records and the measurement sheet indicates that the petitioners' 0.54 Hectors land, is affected.

6. In view of the above, this petition is disposed off with the direction that the concerned respondent shall initiate the land acquisition proceeding as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in respect of land bearing gut Nos.287/2 and 5/2/2 situated at Chadwel Korde, Taluka Sakri, District Dhule and the petitioners would be entitled for compensation to the extent of his land admeasuring 0.54 Hectors. The acquisition proceeding shall be initiated within four (4) months and shall be completed in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-