

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

913 WRIT PETITION NO.7951 OF 2020

**MADAN SITARAM RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioners : Mr. Sandeep N Lute
AGP for Respondent Nos.1 to 5 : Mr. S.B. Yawalkar
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 23rd SEPTEMBER, 2021

PER COURT:-

1. The petitioners have put-forth prayer clause (B) as under:

B. By an order of this Hon'ble Court, direct the respondent's authorities to declared award of acquired land bearing Gat No.126, situated at village Malegaon Khurd, Tq. & Dist - Jalna, totally admeasuring acquired 0.98 Hectors (98 R)., of the petitioners as per the "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013," as earlier as possible."
2. The petitioners, at this stage, are not pursuing prayer clause (C) and (D).
3. Our attention is drawn to the Taaba Pavti Pramanpatra at page no.25 (undated) which indicates that the land of the petitioners admeasuring 98 R in Gat No.126 has been taken into possession on 03.06.2005 by the Irrigation Officer for Gondegaon Pajhar Talav No.12

in Taluka and District Jalna.

4. The above position is undisputed and the fact remains that the petitioner would be entitled for compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The act provides for 12 months period from the stage of submission of proposal upto the stage of delivering an award.

5. In view of the above, we direct the acquiring body to submit the proposal for acquisition of 98 R land belonging to the petitioners in Gat No.126, on or before the 30th day of October to respondent no.2, District Collector. Thereafter, the procedure as prescribed under the 2013 Act shall be initiated and the award shall be delivered on or before the 30th day of October, 2022.

6. With the above directions, this petition is disposed off.

7. The petitioners have volunteered to participate in the direct purchase/private negotiation process. We leave it to the parties to deal with the said issue.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)