

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

964 WRIT PETITION NO. 10725 OF 2019

Rama Devrao Choudhari	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents
Mr. Sushant B. Choudhari, Advocate for the Petitioner. Mr. S. B. Pulkundwar, AGP for Respondent Nos. 1, 2 & 4.	

**WITH
WRIT PETITION NO. 10703 OF 2019**

Namdeo Gena Sanap	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents
Mr. Sushant B. Choudhari, Advocate for the Petitioner. Mr. S. B. Pulkundwar, AGP for Respondent Nos. 1, 2 & 4.	

**WITH
WRIT PETITION NO. 10727 OF 2019**

Shevrao Nana Misal	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents
Mr. Sushant B. Choudhari, Advocate for the Petitioner. Mr. S. B. Pulkundwar, AGP for Respondent Nos. 1, 2 & 4.	

**WITH
WRIT PETITION NO. 10745 OF 2019**

Namdeo Tukaram Misal	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents
Mr. Sushant B. Choudhari, Advocate for the Petitioner. Mr. S. B. Pulkundwar, AGP for Respondent Nos. 1, 2 & 4.	

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

DATED : 05th October, 2021.

PER COURT:-

. Mr. Choudhari, learned counsel for the petitioners submits that the land of the petitioners is acquired for Canal and other purposes. The respondents have taken possession in the year 2008, but acquisition proceedings are not initiated and concluded.

2. The respondent No. 3 herein was issued with notice. The respondent No. 3 did not appear. Thereafter, final disposal notice was also issued. The notice of final disposal issued is served to respondent No. 3, still respondent No. 3 does not appear.

3. Affidavit is filed stating that fresh proposal of acquisition is sought. Affidavit filed by the Sub Divisional Water Conservation Officer states that the Deputy Collector vide communication dated 05.05.2020 has asked for the fresh proposal of acquisition. The respondent No. 3 has submitted the fresh proposal for acquisition on 19.06.2020 as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'Act of 2013').

4. The learned A.G.P submits that the Deputy Collector, Land Acquisition has communicated the Executive Engineer i.e. acquiring body that the proposal is not in tune with the new Act and the proposal in tune with the new Act be submitted.

5. Considering the above, we pass the following order.

6. The acquiring body shall submit the fresh proposal complete in all respects for acquisition of land to the competent authority expeditiously and preferably within a period of three (03) months from the date of communication of the present order. On receipt of the proposal, the acquisition officer shall initiate the acquisition proceedings expeditiously and preferably within a period of three (03) months from the date of receipt of the proposal and shall conclude the proceedings within the time stipulated under the Act of 2013.

7. With these observations, writ petitions are disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.