

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

WRIT PETITION NO. 10883 OF 2019

Ashok Pandurang Mohite
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. Sandeep N. Lute, Advocate for the Petitioners.

Mr. S. P. Tiwari, AGP for Respondent Nos. 1 and 2.

Mr. M. S. Jagtap, Advocate for Respondent Nos. 3 and 4.

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

DATED : 23rd September, 2021.

PER COURT:-

. Heard the learned counsel for the petitioners.

2. The petitioners and respondents are at ad-idem that the petitioners land has been taken in possession for the purpose of construction of percolation tank. According to the petitioners, the same is taken in possession in the year 2008.

3. The learned counsel for the Zilla Parishad submits that because of lack of funds, the process could not be initiated.

4. The petitioners land is already taken in possession. If the

petitioners' case is to be accepted, the possession is taken in the year 2008 almost 13 years back. The petitioners are not paid the compensation. It is high-time the acquisition process is initiated and the petitioners are paid compensation amount.

5. Within a period of six (06) months from today, the Zilla Parishad shall forward the proposal for acquisition of the petitioners land. The acquisition proceeding shall commence within the period of six (06) weeks and shall complete within a period stipulated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

6. In case, the parties are agreeable for private negotiation, the same shall be completed within a period of six (06) months and if private negotiation do not succeed, then the acquisition proceeding shall commence within a period of six (06) weeks from today.

7. Writ petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.