

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 860 OF 2021

- PETITIONER :-1. Rajendra Dadarao Watane, aged about 58 years, Occup. Agriculturist, R/o.Wasani Kh. Tq.Achalpur, Distt.Amravati.
2. Awadhut Kisan Amzare, aged about 60 years, Occup. Agriculturist.
3. Sahadeo Kisan Amzare, aged about 58 years,Occup. Agriculturist,
Both R/o.Wadhona Jahangir, Tq. Achalpur, Distt.Amravati.

...VERSUS...

- RESPONDENTS :-1. The State of Maharashtra, through its Secretary, Revenue and Forest Department, Mantralaya, Mumbai.
2. The Collector, Collectorate Office Amravati.
3. Special Land Acquisition Officer,
Z. P. Works, Amravati now Sub-Divisional Officer and Land Acquisition Officer,
Achalpur, Tq.Achalpur, Dist.Amravati.
4. The Executive Engineer, Zilla Parishad Irrigation Division, Amravati. Tah. and Dist.Amravati.

Mr.R.J. Shinde, counsel for the petitioners.
Mr.D.P. Thakare, Addl.G.P. for respondent Nos.1 to 3.

**CORAM : SUNIL B.SHUKRE &
ANIL L.PANSARE, JJ.**

DATE : 16.11.2021.

ORAL JUDGMENT (Per :Sunil B.Shukre, J.)

1. Heard learned counsel for the petitioners and learned Addl. G.P. for respondent Nos.1 to 3, who appears by waiving notice for them. There is no need to issue any notice to respondent No.4, as the issue involved is of such a nature as can be adjudicated upon by only respondent Nos.2 and 3, having regard to the law laid down by the Hon'ble Apex Court in the cases of State of *A.P and anr. Vs. Marri Venkaiah and oth. reported in (2003) 7 SCC 280* and *Karam Chand Vs. State of Himachal Pradesh and anr. decided on 27.10.2017 in Civil Appeal No.17323 of 2017*, both of which cases have been considered by this Court in the case of Mohd. Shakir Mohd. Jafar Vs. State of Maharashtra and anr. in Writ Petition No.5836 of 2017, decided on 13.11.2019 and also the law laid down by the Hon'ble Apex Court in the case

of Imratlal Vs. Land Acquisition Officer, reported in 2014 (9)SCALE 446.

2. Hence, Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel present before the Court.

3. Respondent No.2 is directed to treat this Writ Petition as an application filed under Section 28 A of the Land Acquisition Act and decide the claim made in this petition for grant of enhanced compensation on the ground of parity, in accordance with law as expeditiously as possible and preferably within six months from the date of appearance of the petitioners before him. Petitioners to appear before respondent No.2 on 29th November 2021.

Rule accordingly, No costs.

(ANIL L. PANSARE,J)

(SUNIL B. SHUKRE,J)