

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

WRIT PETITION NO.987/2021

Kazi Akiluddin S/o Sujauddin and another
..Vs..

The State of Maharashtra and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.A. Syed, Advocate for the petitioners.
Mr. A.A. Madiwale, A.G.P for respondent Nos.1 to 3.
Mr. N.G. Moharir, Advocate for respondent No.4.

CORAM :- SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED :- 3.9.2021.

Heard.

2. The petitioners are aggrieved by the rejection of their application dated 13.6.2017 filed under Section 33 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short "Act of 2013") seeking correction in the award dated 31st May, 2017. According to the learned counsel for the petitioners, the correction in the award having been sought as regards the change of basis of valuation of the piece of land acquired by the Land Acquisition Officer, it fell squarely within the scope of Section 33 of the Act of 2013, which proposition has been disagreed to by the learned A.G.P and learned counsel for respondent No.4.

3. On going through the impugned communication

dated 2.12.2019, it can be at once seen that no fault could be found therein. The respondent No.2 has appropriately considered the scope of Section 33 of the Act of 2013 and has concluded that the change sought as regards the basis of valuation of the acquired land does not fall within the expression “clerical or arithmetical mistakes” employed in Section 33 of the Act of 2013. Any dispute regarding the basis of valuation of the acquired land cannot be said to be a “clerical or arithmetical mistake”. There is no substance in the petition. The petition stands **dismissed**. No costs.

JUDGE

JUDGE

Tambaskar.