

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

**901 WRIT PETITION NO.7370 OF 2022
WITH
WP/2119/2022 WITH WP/528/2022 WITH
WP/2091/2022 WITH WP/2105/2022 WITH
WP/2106/2022 WITH WP/2107/2022 WITH
WP/2108/2022**

**DNYANOBA BABAURO KADAM
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

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**Advocate for Petitioners:
Ms. Bodke Patil Poonam V.
AGP for Respondent/State: Mr. S. K. Tambe
Advocate for Respondent No.4/Acquiring Body:
Mr. S. G. Bhalerao**

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**CORAM: RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.
DATE: 04th OCTOBER, 2022**

PER COURT:

1. The Petitioners have put-forth an identical prayer clause 'B', which reads as under:-

"(B) By issuing writ of Mandamus or writ of Certiorari or any other appropriate writ, order or directions in the liken nature either to quash and set-

aside the impugned Resolution dated 23.07.2021 passed by the Land Acquisition Committee Parbhani in relations to determining and assessing the market value of the land under acquisition @ Rs.4,70,000/- per Hectare instead of @ Rs.550/- per Sq.Mt. or to re-determine the market value of the land under acquisition, particularly as per Section 26(1)(b) r/w Explanation 2 and set-right the errors committed by the Committee in determining the market value of the land under acquisition."

2. The learned Advocate representing Respondent No.4 / Acquiring Body submits, on specific instructions, that the rates as prescribed by the impugned Resolution dated 23.07.2021 passed by the Land Acquisition Committee Parbhani, are in relation to private negotiations with the land owners for determining and assessing the market value of the lands under acquisition. These Petitioners are

not interested in private negotiations and, hence, the impugned Resolution will not be made applicable to these Petitioners. Their case would be considered under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. The learned Advocate representing Respondent No.4 has made the above statement in the light of the document at Page No.40 dated 10.06.2022, annexed to the affidavit-in-reply dated 01.08.2022, in Writ Petition No.2119 of 2022, which is to be read in all these matters.

4. In view of the above, these Petitions stand worked out and are disposed off.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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