

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

90 WRIT PETITION NO.2939 OF 2022

MANJU ATUL BHALERAO & OTHERS
VERSUS
SPECIAL LAND ACQUISITION OFFICER & SUB DIVISIONAL
OFFICER & OTHERS

...

Advocate for the petitioners : Mr.A.A.Joshi h/f. Mr.S.V.Natu
AGP for Respondent-State : Mr.K.N.Lokhande

...

**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 28.02.2022

P.C. :

1] Learned counsel for the petitioners submits that the petitioners have filed application under Section 28-A of the Land Acquisition Act. The same was decided by the Authority. The petitioners approached this Court by filing Writ Petition No.1389 of 2021. This Court under order dated 25th January, 2021 directed the Authority to decide the application under Section 28-A of the Land Acquisition Act filed by the petitioners within nine months. Subsequently, the Land Acquisition Officer passed order keeping the said application in abeyance.

2] It appears that as appeal is already pending before this Court challenging the order in Reference relied

by the petitioner, the Sub Divisional Officer has kept application in abeyance.

3] We do not find any error committed in keeping the application in abeyance. In case the appeal is allowed, the amount would differ. The second application under Section 28A may not be tenable.

4] In the light of above, we do not find any error on the part of the authority in keeping the application of the petitioners in abeyance.

5] Writ Petition is disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

DDC