

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 WRIT PETITION NO.2884 OF 2022
HARI RAMCHANDRA JOHARE DIED THROUGH LRS VENUBAI HARI
JOHARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. A.S. Shinde

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.
DATE : 06.12.2022.

PER COURT :

Heard.

2. The petitioner is seeking compensation in respect of the land which according to him was under his cultivation but he has not been paid the compensation under the Land Acquisition Act, 1894 (**Act**).
3. Apparently, the petitioner had the remedy to make a reference by resorting to Section 18 of the Act which he has lost by passage of time. Following the decision in the matter of **Indore Development Authority Vs. Manoharlal and others; A.I.R. 2020 SC 1496**, it would be a stale claim. The award was passed in the year 2018 and the petitioner has filed this writ petition in the year 2022.
4. The Writ Petition is dismissed.
5. Needless to state that if at all any reference is decided of which the petitioner can derive benefit under Section 28-A of the Act, he would be entitled to resort to that remedy.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

mkd/-