

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

902 WRIT PETITION NO.3203 OF 2021

NANDABAI DNYANDEV DHEKNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Kolpe Mahendra B.
Mr. YG Gujrathi, AGP for Respondents: 1 & 2;
Ms. Malode Seema P., Advocate for Resp.No.3.

CORAM : PRITHVIRAJ K. CHAVAN, J.
DATE : 29th March, 2022.

PER COURT :-

1. On an earlier date, a statement was made by the learned AGP that an authority under Section 51 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act"), has been appointed for the Aurangabad region. The learned AGP has tendered a Notification dated 11th September, 2019. issued by the Revenue and Forest Department, Government of Maharashtra. In the said notification, which was issued by the Deputy Secretary to the Government of Maharashtra, a Schedule is given that the Land Acquisition, Rehabilitation and Resettlement Authority at Aurangabad will have jurisdiction for Revenue Division of Aurangabad, Nashik, Konkan and Pune.

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2. In light of the said notification, the impugned order passed by the Sub-Divisional Officer and Land Acquisition Officer, Osmanabad dated 14th January, 2021, is quashed and set aside.

3. The authority constituted in terms of Section 51 of the said Act shall treat the petition as a Reference under Section 64 of the said Act. The authority shall proceed further in accordance with the said Act and exercise his jurisdiction and powers in deciding the same.

4. All the rights and contentions of the parties are kept open. It is made clear that this Court has not expressed any opinion on the merits of the case.

5. The parties shall appear before the concerned authority on 7th April, 2022.

6. The interim protection granted to the petitioner shall be continued till the parties appear before the said authority.

7. The petition stands disposed of in the aforesaid terms with no order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)