

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3170 OF 2022**

COMPETENT AUTHORITY LAND ACQUISITION DHULE
..PETITIONER

VERSUS

RAJENDRA VITTHAL AKHADE AND ANOTHER ..RESPONDENTS

...

Mr. Aashish T. Jadhavar, Advocate for the
Petitioner.

Mr. Ashok Raut, AGP for Respondent No.1.

Mr. D. S. Manorkar, Advocate for Respondent No.2.

...

**CORAM : R. D. DHANUKA &
S. G. MEHARE, JJ.**

DATED : 27th APRIL, 2022.

PER COURT:-

1. By this petition filed under Article 226 of the Constitution of India the petitioner-acquiring body seeks permission to correct the Original Award dated 31.03.2010 in Land Acquisition Proposal No.22/2008 of village Shirale, Tq. Sindakheda, Dist. Dhule to the extent of the area of the respondent no.1 as stated in the statement annexed to the said Award in which area is mentioned as 4620 sq. mtr. instead of 1800 sq. mtr. The petitioner also seeks declaration from respondent no.1 for compensation of 1800 sq. mtr. land instead of 4620 sq. mtr. land.

2. The land was acquired under the provision of the Land Acquisition Act, 1894 and Award was also made much prior to the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 came into force. The remedy, if any, to the petitioner would be under the provisions of the Land Acquisition Act, 1894 for correction of the Award.

3. We are thus not inclined to entertain this petition, as writ petition is not maintainable for correction of award under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. Writ Petition is accordingly dismissed.

(S. G. MEHARE)
JUDGE

(R. D. DHANUKA)
JUDGE