

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

**905 CONT. PETITION NO.410 OF 2022
IN WP/10624/2017**

**RAMESH BALIRAM PAWAR DAND OTHERS
VERSUS
YOGESH KHARMATE SUB-DIVISIONAL OFFICER AND LAND
ACQUISITION OFFICER AND ANOTHER**

...
Advocate for Petitioners : Mr. P.S. Chavan
AGP for Respondent/State : Mr. P.S. Patil
Advocate for Respondent no. 2 : Mr. S.S. Dande

...
**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : AUGUST 04, 2022.

PER COURT :

1. Shri Dande, the learned advocate representing respondent no. 2 submits that the amount to be delivered through the Sub Divisional Officer (SDO), has been received. It will be credited in the account of SDO and the payment would be made to the petitioner within four weeks.

2. We grant liberty to the authorities to deposit the amount in the account of the petitioners online. The account details of the petitioners are as under :-

- (1) Ramesh Baliram Pawar (Petitioner No. 1)
Bank of Maharashtra, Branch Osmanabad (125)
Account No. 60024618682,
IFSC CODE :MAHB0000125
MICR CODE : 413014127.
- (2) Sahebrao Baliram Pawar (Petitioner No. 2)
Bank of Baroda, Branch Osmanabad
Account No. 37430100019406

IFSC CODE : BARB00SMANA (Fifth character is zero)
MICR Code : 413012127.

(3) Vinayak Baliram Pawar (Petitioner No. 3)
Bank of Baroda, Branch Osmanabad
Account No. 37430100019405
IFSC CODE : BARB00SMANA (Fifth character is zero)
MICR Code : 413012127.

(4) Rajaram Baliram Pawar ((Petitioner No. 4)
Bank of Maharashtra, Branch Osmanabad
Account No. 60124583450,
IFSC CODE :MAHB0000125
MICR CODE : 413014127.

(5) Tukaram Arju Pawar (Petitioner No. 5)
Bank of Maharashtra, Branch Osmanabad
Account No. 60025192005,
IFSC CODE :MAHB0000125
MICR CODE : 413014127.

3. All the petitioners shall tender attested copies of their Permanent Account Number (PAN) and Aadhar card, before the SLAO.

4. The learned advocate for the petitioners rightly interprets paragraph nos. 3, 4 and 5 of the order dated 22.2.2022, contending that the petitioners would be entitled for interest at the rate of 4% as is prescribed under the Maharashtra Industrial Development Act, 1961, from the date of the award, which is 10.11.2008, till the amount is actually paid. The SLAO had already treated the acquired lands of the petitioners as being seasonal irrigated lands and hence, the differential amount was directed to be paid by this Court vide order dated 22.2.2022.

5. The learned advocate for the Maharashtra Industrial

Development Corporation (MIDC) and the learned AGP have made a valiant attempt to canvass that the interest component is not to be calculated from the date of the award. We do not find that their submissions are well placed, in the light of the fact that in the award itself, the lands of all these petitioners were accepted to be seasonally irrigated, however, the compensation paid was by treating the lands as dry lands/*Jirayat* lands.

6. The learned AGP submits that the fresh proposal for seeking clearance of the interest component would be forwarded expeditiously by respondent no. 1 and it is expected that the interest portion on the differential amount would be paid to the petitioners within three months.

7. The learned advocate for the petitioners submits that the statement be recorded and this Court may observe that if the respondents miss the time line, it would amount to aggravated contempt.

8. Considering the above, this petition is disposed off.

9. The statement made by respondent no. 1 is recorded. The interest component would be paid to the petitioners on or before 31st October, 2022.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]