

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7344 OF 2019

GITABAI PARSHURAM RAKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.U.M.Mhaske h/f Mr.K.D.Khade, Advocate for the petitioner.
Mr.D.R.Kale, GP for respondent Nos. 1 to 4.

(CORAM : RAVINDRA V. GHUGE AND
S.G. DIGE, JJ.)

DATE : MAY 05, 2022

PER COURT :

1. The grievance of the petitioner is that his land has been acquired and possession is taken in 2007 for the construction of a village tank No.7 at Therla (Macchi), Tal.Patoda, Dist. Beed. The petitioner has put forth prayer clauses B and C as under :-

"B. The writ of mandamus or writ of like nature may be issued to respondent No.1 to 5 to complete acquisition proceedings within stipulated time and to pay the compensation amount within stipulated time.

C. The Writ Mandamus or writ of like nature may be issued to pay the rental compensation from the date of acquisition time."

2. Despite service of notice for final disposal on respondent No.5/ Acquiring Body, no appearance is entered.

3. In view of the above, this petition is disposed off with the following directions :-

[a] Respondent No.5 would prepare a proposal for acquisition and forward it to the District Collector/respondent No.3, on or before 15.07.2022.

[b] Thereafter the procedure, as is laid down in The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, would be followed and an award would be delivered on or before 31.07.2023.

[c] Needless to state, compensation amount would be paid to the petitioner, expeditiously.

[d] In the event of any legal impediment, the said issue is kept open.

(S.G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)