

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO.471 OF 2022
IN WP/15556/2019

MOHAN HAJARIMAL SURANA
VERSUS
VIKAS KHARGE AND OTHERS

Mr.P.B.Patil, Advocate for the petitioner.
Mr.S.K.Tambe, AGP for respondent/State.
Mr.A.D.Pawar, Advocate for respondent No.5.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : AUGUST 5, 2022

PER COURT :

1. We have perused the directions issued by this Court in paragraph No.4 of the order dated 10.08.2021 passed in Writ Petition No.15556/2019.

2. The purported contemnor has preferred an affidavit in reply dated 04.08.2022 on behalf of respondent No.5.

3. We have heard the submissions of the learned Advocate for the respective sides. It does not call for any debate that if the petitioner

enters into private negotiations with the Authorities and consents to the rate of compensation, proceedings need not be initiated as per the 2013 Act.

4. The learned Advocate for the petitioner submits that though the proposal has been forwarded stating that parties would enter into a private negotiations, the rate offered is less than the market value and the petitioner, therefore, rejects the said rate. He, therefore, submits that the authorities may proceed to initiate acquisition proceedings under the 2013 Act. The learned Advocate for the respondent submits that the rate offered is more than the market value.

5. Since ou4 directions set out in paragraph No.4 have been complied with to the extent of initiating the acquisition process, that this petition is disposed off. The petitioner, as well as the respondents, are at liberty to take recourse to the provisions of the 2013 Act.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)