

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

74 WRIT PETITION NO.8005 OF 2022

**INDUMATI BHIMASHANKAR SURWASE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR
OSMANABAD AND OTHERS**

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**Advocate for Petitioners: Mr. Ingale Vivekanand V.
AGP for Respondent/State: Mr. S. K. Tambe**

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

DATE: 02nd AUGUST, 2022

PER COURT:

1. Though the Petitioners have put-forth two substantive prayers, the learned Advocate for the Petitioners submits on instructions that their pending application dated 22.09.2021 addressed to the District Collector, Osmanabad seeking rental compensation, may be decided within a time frame.

2. The learned AGP has strenuously opposed this Petition contending that the date of possession is not specifically set out by the Petitioners. The Award of the SLAO was delivered on 26.12.2005. The Petitioners moved LAR

No.12/2012 seeking enhancement and the said proceedings were decided by order dated 24.01.2014.

3. The learned Advocate for the Petitioners submits that the possession of the land was taken on 10.11.1998. We, however, do not find the said date set out in the pleadings of the Petition.

4. Be that as it may, the Petitioners prays that if he can make out a case for rental compensation, though he has approached this Court belatedly, he may be deprived of the compensation / interest for the period of delay. Nevertheless, he would be entitled to the compensation amount at least from the date of possession till the date of the Award.

5. The learned AGP submits that the rental compensation can be calculated only till the date of Notification.

6. In view of the above, this Petition is disposed off with a direction to the District

Collector, Osmanabad to deal with the representation of the Petitioners dated 22.09.2021, strictly in accordance with the Rules and the law applicable. In so far as the delay is concerned, the Petitioners would not be entitled for any interest on the compensation amount for the period of delay. We expect a response from the District Collector, on or before 30.11.2022.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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