

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

43 WRIT PETITION NO.12183 OF 2022

UTTAM YESHWANTA KAPSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

...

Advocate for Petitioners : Mr. Tejas C. Sonawane & Mr D. A. BideA
AGP for Respondents State: Mrs. V. N. Patil-Jadhav

**CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.**

DATE : 05.12.2022

ORDER:

1. Heard.
2. The petitioners are aggrieved by the fact that in spite of they having filed applications under Section 28A of the Land Acquisition Act, 1894 way back in the year 2013 with the office of respondent No.4- Special Land Acquisition Officer, he is not deciding it on its' own merits.
3. The learned AGP submits that if the applications are pending since 2013, the respondent No.4 should have decided it by this time.
4. The petitioners have submitted their applications to respondent No.4- Special Land Acquisition Officer which are pending since 2013. It appears that some steps were taken by respondent No.4 of issuing notice but nothing seems to have happened further. There is an award of the reference court which is the basis of the petitioners'

claim. It was imperative for the respondent No.4 to decide petitioners' applications expeditiously.

5. We dispose of the writ petition by directing respondent No.4-Special Land Acquisition Officer to decide the applications dated 05.03.2013 preferred by the petitioners under section 28-A of the Land Acquisition Act as early as possible and in any event, within a period of 12 weeks from today after extending opportunity of being heard to the petitioners.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

JPChavan