

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8860 OF 2022

LALAVANTI ASARAM VAIRAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS

...

Advocate for the Petitioners : Shri Kolhe Mukund L.
AGP for the Respondents/State : Shri S.G. Karlekar

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

DATE :- 29th August, 2022

Per Court :-

1. The petitioners have put forth prayer clause B as
under:-

“B) *Issue a writ of mandamus or any other appropriate writ, order or direction in the nature of writ of mandamus directing the respondents to complete the land acquisition proceeding in the respect of land of petitioners and pay compensation and damages declaring award to the petitioners as per The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and for that purpose issue necessary orders.*”

2. The grievance of the petitioners is that respondent

No.8 has forwarded the proposal for acquisition to respondent No.2 in 2017 considering that the land of the petitioners is submerged under water at village Manubai Jawala, Taluka Georai, District Beed on account of Mangrul High Level Barrage constructed across the Godavari river.

3. In view of the above, we are not issuing notice to respondent Nos.5 to 8.

4. This Writ Petition is disposed off with the direction to respondent No.2 to commence the acquisition proceedings by following the due procedure laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The entire proceedings would be completed and the award to be delivered, strictly in accordance with the time frame set out in the 2013 Act.

kps

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)