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

947 WRIT PETITION NO.11600 OF 2019

**KISAN ASHRUBA JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr A. D. Aghav, Advocate h/f Mr V. P. Savant, Advocate for
petitioners;

Mr S. G. Sangle, A.G.P. for respondents

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

DATE : 5th May, 2022

PER COURT:

1. By this petition, the petitioners have put forth prayer clause
(B), as under :-

“B] Issue writ of mandamus or any other writ, order or direction in the nature of writ of mandamus, thereby direct the respondent authority to pass award in view of the provisions of Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and pay the compensation towards the acquired land of the petitioners along with interest and all statutory benefits from the date of possession till the payment of entire amount as early as possible, and for that purpose issue necessary orders.”

(2)

2. We have considered the submissions of the learned Advocates for the respective sides.

3. The lands of the petitioners have been acquired in 2003-2004, for construction of the percolation tank No.3 at village Kacharwadi. Though the proposal was forwarded to respondent No.2 and an administrative approval was granted by it on 02/03/2004, no development has taken place. Therefore, the acquisition of lands would be in accordance with the provisions of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (for short "the 2013 Act").

4. In view of the above, we direct respondent No.5, to forward a fresh proposal to respondent No.2, on or before 30/07/2022. Thereafter, respondent No.2 would conduct the proceedings, in accordance with the provisions of the 2013 Act, within the statutory period of one year and deliver the award. Needless to state, the compensation amount would be paid to the petitioners with promptitude.

5. With the above directions, this petition is disposed off.

(S. G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)