

(1)

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

944 WRIT PETITION NO.11562 OF 2019

**FAKKAD VINAYAK GARAD
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR
AND OTHERS**

**AND
945 WRIT PETITION NO.11567 OF 2019**

**SHIVAJI KUNDLIK GARAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr A. D. Aghav, Advocate for petitioners;
Mr P. K. Lakhotiya, A.G.P. for respondent Nos.1, 2 & 4
Mr S. G. Sangle, Advocate for respondent No.3

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

DATE : 5th May, 2022

PER COURT:

1. In both these petitions, the land of the petitioners has been acquired for the purpose of construction of the Left Canal (डावा कालवा) of Belpara, Medium Irrigation Project. The Award has still not been delivered since 2011. Respondent Nos.3 and 4 are the acquiring authorities.

(2)

2. Considering the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “the 2013 Act”), the acquiring body will have to tender the proposal to respondent No.1. Thereafter, the proceedings would be conducted, in accordance with the 2013 Act within the statutory time. The proceedings have to be concluded and the award has to be passed within one year.

3. In view of the above, these petitions are disposed off with the following directions :-

(a) Subject to appropriate scrutiny, respondent No.3 would forward the proposal with regard to the lands owned by the petitioners, to respondent No.1, on or before 30/07/2022.

(b) Respondent No.1 shall, thereafter, commence the proceedings and conclude the same within one year, in view of the 2013 Act.

(c) Needless to state, the compensation amount shall be paid to the petitioners expeditiously after the award is passed.

(S. G. DIGE, J.)
sjk

(RAVINDRA V. GHUGE, J.)