

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 WRIT PETITION NO.11379 OF 2022

NANA SALUBA MALODE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR AND
OTHERS

...
Advocate for Petitioners : Mr. V.G. Kodale h/f. Mr. V.D. Gunale
AGP for Respondent/State: Ms. M.A. Deshpande
...

CORAM : MANGESH S. PATIL AND
Y. G. KHOBRAGADE, JJ.

DATE : 28.11.2022

PER COURT :

The petitioners have been seeking direction to the Collector to decide their application preferred under Section 28-A of the Land Acquisition Act, 1894 based on award passed in some other matter by the *Lok Adalat*.

2. The Supreme Court in the matter of **New Okhla Industrial Development Authority (Noida) Vs. Yunus and Ors.; (2022) 9 Supreme Court Cases 516** has specifically held that since the award of the *Lok Adalat* is not a determination of compensation as is contemplated under Section 28-A of the Land Acquisition Act, no such application can be moved based on such an award.

3. The learned advocate seeks leave to withdraw the Writ Petition and apply again in case of any reference being decided by the competent civil court.

4. Leave is granted.
5. The Writ Petition is dismissed as withdrawn with liberty as prayed for.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

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