

(1)

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

903 WRIT PETITION NO.14496 OF 2019

**PRAKASH SHRIRANGRAO NIRVAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Ms. Asha D. Rakh, Advocate for petitioners;
Mrs. M.A. Deshpande, A.G.P. for respondent nos.1, 3 & 4;
Mr. B.R. Surwase, Advocate for respondent no.2

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

DATE : 4th March, 2022

P.C.

1. The petitioners have put-forth prayer clause (B) and (C) as under:-

“(B) By issuing writ of mandamus or any other appropriate writ or directions respondents may kindly be directed to acquire lands of the petitioners for Nimna Dudhana Project, as those lands submerge in the back water of said project.

(C) By issuing writ of mandamus or any other appropriate writ or directions respondents may kindly be directed to pay the petitioners compensation for loss caused them due to water in their standing crops.”

(2)

2. The learned Advocate for the petitioners points out an order passed by a co-ordinate Bench of this Court dated 23.2.2022 concerning the acquisition of lands affected in villages Wanzoli and Vidoli. These petitioners are residents of Vidoli and Nansi villages. In the order dated 23.2.2022 passed by the Co-ordinate Bench of this Court in Writ Petition No.6012 of 2020 filed by Shivdas Appasaheb Kapse & ors. vs. The State of Maharashtra & ors., the statement of the acquiring body that the proposal for acquisition of lands affected in villages Wanzoli and Vidoli have been forwarded by notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, pursuant to a proposal forwarded by the acquiring body, was recorded. The acquisition proceedings are to be completed within the time stipulated by the Act.

3. The learned Advocate for the acquiring body respondent no.2 submits that an identical direction may be issued.

4. In view of the above, this petition is disposed off with the following direction:-

The acquiring body shall forward the proposal of the Nansi village, since the proposal for Vidoli is already in the pipeline, within a period of 9 months and the acquisition proceedings should be completed within one year thereafter as is stipulated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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