

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

961 WRIT PETITION NO.14721 OF 2021

**BHAGWAN IRVANTRAO VIBHUTE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. S.S. Thombre
AGP for Respondent / State : Mr. S.B. Yawalkar
Advocate for Respondent No.5 : Mr. B.R. Survase

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**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 29-09-2022

PER COURT :

. The petitioner is aggrieved by a refusal by the competent authority to award interest under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Learned Counsel Mr. Thombre for the petitioners submits that no appeal under Section 74 of the Act would lie against that part of the Award which refuses to award interest on the original amount and restricts it only to the enhanced amount of compensation.

3. In view of the specific provision contained in Section 74 of the Act providing for a statutory appeal, wherein any person aggrieved by the award passed by the authority can prefer an appeal,

in our considered view, the appropriate remedy for the petitioner would be to prefer an appeal under that provision.

4. The Writ Petition is disposed of by granting liberty to the petitioner to prefer an appeal.

5. The time spent in prosecuting the present petition may be considered under Section 14 of the Limitation Act, 1963.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)