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

903 WRIT PETITION NO.14000 OF 2019

**DATTU GOPAL GAIKWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr A. B. Kale, Advocate for petitioners;

Mrs M. A. Deshpande, A.G.P. for respondents/State

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

DATE : 30th March, 2022

PER COURT:

1. Leave to add Secretary, Relief and Rehabilitation Department, as respondent No.6. Addition be carried out forthwith.
2. Issue notice to the added respondent. The learned AGP waives service of notice on behalf of the added respondent No.6.
3. The learned Advocate for the petitioners submits that respondent No.4 may not be necessary in this proceeding. He seeks leave to delete respondent No.4. Deletion is permitted at the risk of the petitioners.

(2)

4. The learned Advocate for the petitioners submits that this petition can be disposed off in the light of the averment made in paragraph 4 of the affidavit-in-reply filed by Shri. Mohan Dhondiram Panchal, Naib Tahsildar (Revenue), SDM Office, Omerga, Tq. Omerga, Dist. Nanded. The averment on which the petitioners place reliance is reproduced as under :-

“4.The Divisional Commissioner in turn has submitted the proposal to the State Government by its communication dated 23.03.2021. The said proposal is now pending before the Government. No sooner the said proposal is accepted and the amount is received the said compensation shall be made available to the petitioner. Hereto annexed and marked as Exhibit “R-1” collectively are the copies of communications dated 12.03.2021 and 23.03.2021.”

5. It is further submitted that, if the proposal is forwarded within three months and the compensation amount for the wells is paid within three months thereafter, the petitioners are satisfied.

6. The learned AGP submits that the said action would be completed expeditiously.

(3)

7. In view of the above, this petition is disposed off with a direction to the appropriate authorities to clear the proposal, on or before 30/06/2022 and ensure that the payment in accordance with law, is made to the petitioners, on or before 30/09/2022.

(S. G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)

sjk