

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3939 OF 2022

Ramdas Sadashiv Khatale ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Sachin Gite, Advocate for the Petitioner.

Mr. S. L. Babar, AGP for the Respondents/State.

Ms. Chaitrali Deshmukh, Advocate for the Respondent No.4.

**CORAM: S.V. GANGAPURWALA &
 VINAY JOSHI, JJ.**

DATED : APRIL 12, 2022

P.C.

1. The learned Counsel for the petitioner has filed application for rental compensation on 7th July 2021 to the Acquiring Body (respondent No.4). The learned Counsel for the petitioner submits that the petitioner is entitled for rental compensation even if the land is acquired by private negotiation. The learned Counsel for the petitioner relies on the Government Resolution dated 1st December 1972 and the subsequent Government Resolution dated 2nd April 1979. The learned Counsel submits that the petitioner is entitled for rental compensation at the rate of 8% p.a. from the date of possession till the payment of compensation.

2. We have also heard the learned Counsel for the Respondent No.4, who submits that the petitioner is paid

the compensation amount in full and final satisfaction of the acquisition of land by private negotiations and the agreement also states this fact.

3. The petitioner has already approached the respondent No.4 for rental compensation by making an application. The respondent No.4 is bound by Government Resolutions dated 1st December 1972 and 2nd April 1979. The respondent No.4 shall consider the said Government Resolutions and take decision with regard to the rental compensation preferably within three months.

4. The writ petition is disposed of. No costs

(VINAY JOSHI, J.)

(S.V. GANGAPURWALA, J.)

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