

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 984 OF 2022

Namdeo Changa Mundhekar & Ors.

..... Petitioners

VERSUS

The Deputy Collector (Land Acquisition)

Metro Centre No.3, Panvel & Ors.

..... Respondents

Mr.Sachin S.Punde for the Petitioners.

Mr.A.A.Alaspurkar, A.G.P. for the State – Respondent no.1.

Mr.Gaurav Mishra, i/b. Mr.Ashutosh M.Kulkarni for the Respondent nos. 2 and 3.

CORAM: R. D. DHANUKA AND

MADHAV J.JAMDAR, JJ.

DATE : 17th JUNE, 2022

P.C:-

Mr. Punde, learned counsel for the petitioner tenders a copy of the order dated 6th May, 2022 in ***Writ Petition No. 902 of 2022*** in case of ***Alka Rahul Aatavane & Anr. vs. The Deputy Collector, Land Acquisition & Ors.*** and would submit that the issue arising in this petition is identical to the issue raised in the said Writ Petition No. 902 of 2022 and thus this Court be pleased to pass the same order passed in Writ Petition No. 902 of 2022.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of mandamus to forthwith pay the re-determined amount of compensation as per award dated 3rd March, 2020.

3. The grievance of the petitioner is that though the said award was passed on 3rd March, 2020, the amount of compensation was not release till date.

4. We have perused the said order dated 3rd March, 2020 passed by this Court. In our view, the order passed by this Court applies to the facts of this case. Learned counsel for the respondent no.1 could not distinguish the said order.

5. We accordingly pass the following order :-

(a) The respondents shall make payment to the petitioner under section 28A of the Land Acquisition Act within six months and also grant consequential benefits as may be permissible in law.

(b) Writ petition is disposed of in the aforesaid terms. No order as to costs.

(c) The parties to act on the authenticated copy of this order.

[MADHAV J. JAMDAR, J.]

[R. D. DHANUKA, J.]