

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.2989 OF 2021

Tukaram V. Bajbalkar .. Petitioner.
v/s.
The State of Maharashtra & Others .. Respondents.

WITH
WRIT PETITION NO.2990 OF 2021

Natha T. Vhanmane
& Another .. Petitioners.
v/s.
The State of Maharashtra & Others .. Respondents.

Ms. Madhavi Ayyappan with Krishna Agrawal i/b. Talekar & Associates,
for the Petitioner in both the Petitions.
Mr. R. S. Pawar, AGP for the Respondent-State in WP No.2990 of 2021.
Shri R. M. Shinde, AGP for the Respondent-State in WP No.2989 of 2021.

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**CORAM: S.V. GANGAPURWALA &
VINAY JOSHI, JJ.
DATED : 24th MARCH, 2022.**

PC:-

The Petitioner claims that the possession of the Petitioner's land is taken prior to the issuance of notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The award is not yet passed and the rental compensation is not yet paid.

2 The affidavit is filed by the SLO. The affidavit further states that the process of making award is in progress and so also the amount would be deposited in the Petitioner's bank account by the end of March, 2022.

3 In view of that, the grievance of the Petitioner with regard to prayer clause (a) would stand readdressed.

4 As far as prayer for rental compensation is concerned, the amount of compensation payable is not yet decided. The rental compensation would be at the rate of 8% depending upon the compensation.

4 In view of that, after the award is passed, the Petitioner may make an application for rental compensation before the SLO. The SLO naturally shall decide the said application after hearing all the parties and in accordance with law.

5 Writ Petitions are disposed of. No costs.

(VINAY JOSHI,J.)

(S.V.GANGAPURWALA,J.)