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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT ANANDRAO
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WRIT PETITION NO.10227 OF 2022

Sanjay M. Patil ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH
WRIT PETITION NO.10229 OF 2022

Dhananjay P. Labhade ...Petitioner
V/s.
Union of India & Ors. ...Respondents

Mr.A.Y. Sakhare, Senior Counsel i/b Mr.Vivek M.Punjabi for the
Petitioner.

Mr.V.S. Gokhale "B" Panel Counsel for the State – Respondent.

CORAM : R.D. DHANUKA &
S.G. DIGE, JJ.
DATE : 25TH NOVEMBER, 2022.

P.C. :-

1. Mr.Sakhare, learned senior counsel for the petitioners seeks leave to delete the respondent no.1 – Union of India from the cause title of both the petitions. Leave to amend is granted. The amendment shall be carried out forthwith. Reverification is dispensed with.

2. Rule. Mr.Gokhale, learned "B" panel counsel for the

State waives service. Rule is made returnable forthwith.

3. By these petitions filed under Article 226 of the Constitution of India, the petitioners seek a writ of mandamus against the Competent Authority, Land Acquisition and Deputy Collector (Land Acquisition), National Highway Project, Nashik to consider the sale transactions referred in prayer clause (a) of both the petitions and other reliefs while passing an award for compensation of the writ property.

4. Learned senior counsel for the petitioners invited our attention to the averments made in paragraph 3 of the affidavit dated 15th October, 2022 filed in Writ Petition No.10229 of 2022 and in paragraph 3 of the affidavit dated 4th October, 2022 filed in Writ Petition No.10227 of 2022 passed by the Deputy Collector and Special Land Acquisition Officer stating that the process of rate determination shall be done as per rate determination principles laid down in section 26 of the LARR, 2013. It is further stated that the sale instances referred by both the petitioners, if fit in the scheme of law shall be considered therein. Statements made in paragraph 3 of both the said affidavits are accepted.

5. Both the writ petitions are disposed off in view of the statements made by the deponent in both the affidavits. Rule is made absolute. There shall be no order as to costs. Parties to act on the

authenticated copy of this order.

(S.G. DIGE, J.)

(R.D. DHANUKA, J.)