

Vidya Amin

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

WRIT PETITION NO. 10351 OF 2022

Jayram Ganu Modhave & Ors. ... Petitioners

Vs.

The State of Maharashtra & Ors. ... Respondents

Mr. Rushikesh Chavan a/w. Pruthviraj Gole, Sumit Kate for the
Petitioners.

Ms. R.M. Shinde, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 17 November 2022.

P.C.:

Learned AGP tenders additional affidavit filed by Ajay Uttam Pawar, Deputy Collector, Special Land Acquisition Officer, in which in paragraph 4 the deponent has stated as under:

“4. I say that the present petitioners stated that, they have tendered indemnity. The bare perusal of the indemnity disclosed that petitioners are satisfied by the award u/s. 28A dated 29 May 2012 and further they shall not claim any enhance compensation if First Appeal bearing Nos. 329/2008 and 330/2008 is passed in favour of aggrieved farmers. That, the office record to the extent of indemnity substantiate the claim of petitioner to be true and correct. That further if the stand of petitioner remains the same as per indemnity and will not claim in future, then in that circumstances, Government is not going to suffer any monetary loss and hence this office has no objection to release the bank guarantee. Hereto annexed and marked as Exhibit -1 is the copy of Indemnity dated 23 June 2022.

In the light of the above, it is prayed that the Hon'ble Court may pass appropriate order."

2. Learned counsel for the Petitioners states that he is satisfied with the stand taken by the Respondents and the Petitioner would take necessary steps as stated above.

3. In light of this position, Writ Petition is disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)