

**BASAVRAJ
GURAPPA
PATIL**

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

WRIT PETITION NO.1477 OF 2022

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PATIL

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Vitabai Laxman Taware & Ors. Petitioners

Vs.

State of Maharashtra
Through SLAO & Ors. Respondents

Mr. Sachin Hande for the Petitioners
Mr. R. S. Pawar, AGP for the State

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

DATED : MARCH 25, 2022

P.C.

1 The learned Counsel for the Petitioners submits that on 4th July 1997, the Award was passed in respect of the land of the Petitioners bearing Sy.No.60(1) and land bearing Sy.No.26. The Notification of acquisition of the land Sy.No.26 was issued in the year 1994 but in the Award the same has been recited to have been issued in the year 1995. In fact, two Notifications were issued in respect of the land sy.No.26. In the year 1994, the Notification was issued in respect of the land admeasuring 15R and in the year 1995

the Notification was issued for the remaining entire land. However, though the Notification in respect of 15R land was issued in the year 1994, erroneously it was stated to be issued in the year 1995. The record itself shows that the Notification was issued in respect of 15R land in the year 1994.

2 We have heard the learned AGP.

3 It appears that the Petitioners had filed Reference bearing LAR No.6 of 1999 seeking enhancement of the compensation. Same was allowed. State filed an Appeal. The Appeal filed by the State was partly allowed on 20th November 2012 by this Court. Thereafter the Petitioner had filed execution proceedings and now after slumber of 27 years, has filed the present petition.

4 No plausible explanation for delay and laches is spelt out in the Petition. It is not the case that the Petitioners were unaware of the Award passed and the Notification issued from time to time. The Petitioners, after the Award was passed in the year 1999 had filed Reference seeking

enhancement of the compensation. The Petitioners were aware of the same. It would not be appropriate to entertain the Writ Petition after slumber of 27 years, more particularly, after the Petitioners had taken out the proceedings for enhancement of compensation in the year 1999/2000.

5 In view of the above, the Writ Petition is disposed of.
No costs.

(VINAY JOSHI, J.)

(S.V. GANGAPURWALA, J.)