

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4367 OF 2019

[Smt. Yamuna Babasaheb Matale and others .vs. The State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.N. Ghuge, Advocate for the petitioners,
Shri Neeraj Patil, A.G.P. for respondent no.1/State,
Mrs. S.W. Deshpande, Advocate for respondent nos.2 to 4,
Shri D.I. Jain, Advocate for respondent no.5.
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Coram : A.S. Chandurkar and Smt. M.S. Jawalkar, JJ.
Dated : March 29, 2022.

At the outset, Shri Ghuge, the learned counsel for the petitioners submits that the petitioner nos.5 to 8 have received the amount of compensation pursuant to acquisition of their lands for the Jumda Minor Irrigation Tank Project. Insofar as the claim of petitioner nos.1 to 4 and respondent no.5 is concerned, it appears that there is a dispute amongst them to the entitlement of the amount of compensation. This dispute to the entitlement would be required to be adjudicated by the appropriate authority.

In view of this position, the respondent nos.2 to 4 are directed to deposit the amount of compensation that is payable to the petitioner nos.1 to 4 and respondent no.5 with the appropriate authority under Section 77 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. After such deposit, the appropriate authority is free to take recourse to the provisions of Section 64 of the said Act.

With these directions, the writ petition is disposed of. No costs.