

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 4429 OF 2022

(Chandrakant s/o Daryaji Lolusare & Ors. Vs. The State of Maharashtra & Ors.)

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

Court's or Judge's order

Shri Amit A. Choube, Advocate for the petitioners.
Ms. N.P. Mehta, Assistant Government Pleader for respondent Nos. 1 and 2/ State.
Shri G.A. Kunte, Advocate for respondent No.3.

CORAM : A. S. CHANDURKAR AND ANIL L. PANSARE, JJ.

DATE : NOVEMBER 29, 2022.

The petitioners seek compensation in terms of the Government Resolution dated 31/5/2017 since respondent No.3 has laid down high tension line across the fields of the petitioners. The order passed under Section 16(1) of the Indian Telegraph Act, 1885 (for short "the said Act") by the Sub-Divisional Magistrate is under challenge.

We find after hearing the learned Counsel for the parties that if the petitioners are not satisfied with the compensation awarded under Section 16(1) of the said Act, remedy under Section 16(3) of the said Act is available to them. Insofar as grant of compensation is concerned, the same is required to be granted in terms of the Government Resolutions dated 31/5/2017 and 2/11/2022.

The Writ Petition is thus disposed of by directing respondent No.3 to disburse the compensation in accordance with the aforesaid Government Resolutions expeditiously and preferably within a period of three months from today.

(ANIL L. PANSARE, J.)

(A. S. CHANDURKAR, J.)

SUMIT