

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

909 WRIT PETITION NO.2886 OF 2022

PARVATABAI SARJERAO THENGADE DECEASED THROUGH HER LRS
GRANDSON GANESH PANDURANG THENGADE
VERSUS
THE UNION OF INDIA AND OTHERS

...
Advocate for Petitioners : Mr. Patil Prakashsing B.
AGP for Respondents/State : Mr. S.B. Yawalkar
Advocate for R/1 & 4 : Mr. A.N. Patale
Advocate for R/3 : Mr. D.S. Manorkar
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRADE, JJ.**
DATE : 6th June, 2023

PC. :-

1. It is undisputed that compensation towards acquisition of land ad-measuring 4 R belonging to the deceased-petitioner, has been paid to land owners from gut nos. 478 and 479. It is equally undisputed that the acquiring authority will now have to initiate the recovery process by issuing notice to those land owners who have received the compensation in excess which should have been paid to the petitioner.

2. In view of the above, the learned advocate for the petitioner submits on instructions that this procedure for recovering the excess payment

and payment of the said amount to the petitioner, should be initiated by respondent no.4 within a particular time frame.

3. In view of the above, this petition is **disposed off**.

4. We expect respondent no.4 to issue notices to those land owners who have received excess payment of compensation, within a period of 21 days from today. Thereafter, by following the due procedure laid down in law, appropriate steps be taken to ensure that the excess payment is recovered so as to be paid to the petitioner, without any delay.

5. All rights and contentions of the stake holders are kept open, including the claim for interest for delayed payment to the petitioner.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]