

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

WRIT PETITION NO. 4679 OF 2018

Rambhau Shekuji Bhojane
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Jayabhar, Advocate h/f Shri D. R. Jayabhar, Advocate for
the Petitioners.

Shri S. G. Sangle, A.G.P. for the Respondent Nos. 1 to 3.

**CORAM : NITIN W. SAMBRE AND
S. G. CHAPALGAONKAR, JJ.
DATE : 10TH APRIL, 2023.**

FINAL ORDER :

. Heard.

2. The petitioners' prayer is for issuance of directions to the respondents to pay the rental compensation to the petitioners and quash and set aside impugned order dated May 13, 2009.

3. According to the petitioners the lands were acquired on June 15, 1989 and the possession of which though was taken in advance, rental compensation was not paid. According to them, they had approached this Court in the year 2007 seeking directions to the respondents, so also contempt proceedings were filed and inspite of aforesaid, till this date the rental

compensation is not paid.

3. Mr. Sangle, learned Assistant Government Pleader for the respondents/State would oppose the prayer.

4. We have considered the submissions.

5. Apart from the fact that there is unexplained delay in approaching this Court, as the claim for rental compensation of 1989 was for the first time agitated before this Court in the year 2007. In spite of there being order passed in the year 2009, the petitioners have approached this Court after lapse of 09 years. The petitioners are unable to explain the delay. In our opinion, the issue is covered by the judgment of the Apex Court in the matter of **State of Maharashtra Vs. Digambar** reported in **1995 AIR 1991**.

6. In view of the above, no interference is called for in the writ jurisdiction of this Court. The writ petition as such fails and stands dismissed.

[S. G. CHAPALGAONKAR, J.]

[NITIN W. SAMBRE , J.]

bsb/April 23