

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

WRIT PETITION NO.7616 OF 2022

**APPA HANUMANT GHULE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS**

...
Advocate for Petitioners : Mr. Shashikant E Shekade
AGP for Respondents: Mr. A.R. Kale.

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 13th APRIL, 2023

P.C.:-

Heard Mr. Shekade Advocate for the petitioners.

2. The case of the petitioners is that their lands were acquired and being aggrieved by the payment of lesser compensation, reference under Section 18 was preferred, which was settled in a Lok Adalat almost 2 to 5 years back. It was, as such, incumbent on the part of the respondent revenue authorities to pay compensation as was agreed to, before the Lok Adalat. However, in spite of lapse of period of 5 years, compensation is not paid.

3. This Court, after having issued notice to respondents, has called the affidavit of the respondent No.3 – Collector, who, in his

affidavit has stated that he has already raised the demand with the State Government. According to him, as on today, revenue authorities are short of funds and as such, they are unable to honour the settlement arrived at before the Lok Adalat.

4. In the aforesaid background, having noticed that the demand is already lodged with the respondent No.1 State Government, so as to satisfy the claim of the petitioners/agriculturists whose lands are already acquired and is in possession of the respondents, we deem it appropriate to direct the respondent No.2 to release the entire amount of compensation, as has been asked for by the respondent No.3, so as to enable him to satisfy the claims of the petitioners. We direct that such amount be released in any case, on or before 31st August, 2023.

5. With aforesaid directions, petition stands disposed of. Learned AGP to ensure the communication of this order to the Additional Chief Secretary Revenue and Forests.

[S.G. CHAPALGAONKAR]
JUDGE

[NITIN W. SAMBRE]
JUDGE

grt/-