

(1)

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

917 WRIT PETITION NO.4809 OF 2021

ASHRUBA BABURAO KAKAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr Shashikant E. Shekade, Advocate for Petitioners;
Mr P. K. Lakhotiya, A.G.P. for Respondent Nos.1, 2 & 4

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 22nd August, 2023

PER COURT:

1. This pertains to construction of the Percolation Tank No.5 at Limbachiwadi (Ruka), Tq. Kaij, Dist. Beed, vide file No.LNQ/SR/65/05. The lands of the Petitioners were acquired on 16/05/2004 by way of private negotiations. The Notification under Section 9 of the old Land Acquisition Act, 1894 has already been published. However, steps have not been taken.

2. Respondent No.3 is the Acquiring Body. Despite service of Court notice, no appearance is caused.

3. In view of the above, **this petition is disposed off.**
We direct Respondent No.3 to prepare a proposal under the Right

(2)

to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (for short 'the 2013 Act') and forward the same to Respondent No.2/ District Collector, Beed, within 60 days from today. Thereafter, Respondent No.2 shall initiate appropriate steps under the 2013 Act, within the timeline, as is prescribed thereunder.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk