

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

**WRIT PETITION NO.10472 OF 2023**

**RAVI NAMDEVRAO GADEKAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH SECRETARY  
AND OTHERS**

...

Advocate for the Petitioners : Shri Sapkal Sandip R.  
AGP for Respondents 1 to 5/State : Shri S.K. Tambe

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**CORAM : RAVINDRA V. GHUGE  
&  
Y. G. KHOBRADE, JJ.**

**DATE :- 24<sup>th</sup> August, 2023**

**Per Court :-**

1. This petition pertains to the percolation tank No.4, Shiradhon, Taluka Ambad, Dist.Jalna, constructed under the Employment Guarantee Scheme. On 19.08.2004, the Collector, Jalna, accorded an administrative approval for construction of the said tank. The Acquiring Body has taken possession of the land from Gat Nos.73 to 75 and 79. The contractor has been paid his dues. The Petitioners are still awaiting payment of compensation.

2. Since the Petitioners have not made a representation to the District Collector, Jalna, we grant liberty to the Petitioners to file a detailed representation to the District Collector, Jalna,

within 15 days from today. The District Collector shall deal with the said representation by following the due procedure laid down in law. If required, a joint measurement of the properties would be carried out.

3. Since the Petitioners have lost possession of their lands, exact size of the lands acquired would be ascertained and the District Collector shall ensure that Respondent No.5 tenders a proper proposal, which shall be dealt with in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within the timeline as is prescribed.

4. For brevity, we record that the representation would be acted upon within 45 days. The joint measurement would be carried out within a further period of 45 days with due notice to all the land owners. Thereafter, the proceedings towards acquisition and delivering the award, shall be completed strictly in accordance with the timeline prescribed under the 2013 Act.

6. With the above directions, **the Writ Petition is disposed off.**