

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

WRIT PETITION NO.10794 OF 2023

**SHANKAR DAMU BHILARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS**

...

Advocate for the Petitioner : Shri Bhosale Santosh B.
AGP for the Respondents/State : Shri A.V. Deshmukh

...

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

DATE :- 01st September, 2023

Per Court :-

1. This matter pertains to construction of village tank No.2. The Petitioner's land Gat No.794 in village Bhilarwadi, Taluka Shirur (K), District Beed, is acquired to the extent of 2 H 28 R. The tank is already constructed. Possession is taken on 01.06.2007. After the work was completed, the contractors are made their payments. The proposal for acquisition was forwarded on 28.03.2006. The Petitioner is without any compensation even today.

2. Since the joint measurement of the land was not carried out, we direct Respondent No.8 to carryout the

measurement of land and if any portion of the Petitioner's land is noticed to have been utilized for the public project, the District Collector shall seek an updated proposal from the acquiring authority and thereafter, by following the due procedure laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, effective steps shall be initiated and the procedure shall be completed within the timeline as is prescribed under the 2013 Act, which is one year.

3. **The Writ Petition is, accordingly, disposed off.**

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)