

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

55 WRIT PETITION NO.11255 OF 2023

**GUNWANT NANA PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY**

...

AND

69 WRIT PETITION NO.11281 OF 2023

**HIRALAL TOTARAM PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...

Advocate for the Petitioners : Shri I.K. Wagh
AGP for Respondents 1 to 3/State : Shri P.S. Patil

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

DATE :- 11th September, 2023

Per Court :-

1. The Petitioners in these Petitions have put forth identical prayers. Prayer clauses C and D in the first Petition, read as under:-

“C) *Issue appropriate Writ of mandamus, like direction to the respondent authorities to pay*

the rental compensation along with interest for the acquired lands and trees and other structure from the date of possession of land of petitioners till the date of actual payment.

D) By a writ of mandamus or any other appropriate writ, order, direction, this Hon'ble Court be pleased to direct the respondents to pay interest on the amount of compensation under section 34 of the Land Acquisition Act to the petitioners as per the final Award.”

2. All the Petitioners have tendered their representations dated 17.05.2023.

3. The learned AGP submits that the award indicates that the possession of the land would be taken only after the compensation is paid.

4. The learned Advocate for the Petitioners submits that the possession has already been taken.

5. In view of the above, **both these Writ Petitions are disposed off** with the direction that the pending representations would be considered by the Competent Authority strictly in accordance with the rules/ law applicable and preferably within 90 days from today.

6. Needless to state, we have not expressed any opinion or view about the claims of these Petitioners and the

appropriate Authority is at liberty to consider the claims in the light of the fact situation/records and the rules/ law applicable.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)