

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

26 WRIT PETITION NO.15075 OF 2019

SANTARAM NARSING PAWAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

\*\*\*  
Advocate for Petitioners : Mr Prakashsing B. Patil  
AGP for Respondent/State : Mr S.B. Yawalkar

**CORAM : MANGESH S. PATIL AND  
SANTOSH G. CHAPALGAONKAR, JJ.**

**DATE : 2<sup>nd</sup> JANUARY, 2023**

**PER COURT :**

1. The learned AGP waives service even for the respondent No. 4.
2. The petitioners are aggrieved by the fact that their land has been acquired without paying any compensation.
3. The affidavit-in-reply filed on behalf of respondent Nos. 1 to 3 of one Swapnil S/o Arun Kapadnis *inter alia* reads as follows :-

6. I say and submit that, since the earlier proposal was lapsed and petition was filed by the claimant for seeking compensation and if the procedure is adopted by routine method of land acquisition it will take some time. Therefore, it is decided to acquire the land of petitioner by direct purchase method in accordance with provision of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Accordingly the Respondent No. 4 acquiring authority has submitted the proposal with the Respondent No. 2 District Collector on 01.02.2022. The

copy of covering letter dated 01.02.2022 is annexed herewith and marked at **Exhibit R-1**.

7. I say and submit that, since the Respondent No. 2 District Collector has received proposal from Respondent No. 4 acquiring body on 01.02.2022 the award in land acquisition proceeding would be passed within the period of 6 months and the demand for payment of compensation would be submitted with the Government immediately as soon as amount of compensation is received from the Government it will be immediately paid to the petitioners.

4. The learned AGP submits that already steps are being taken in the light of the aforementioned statements and once money is received, appropriate steps would be taken to compensate the petitioners by resorting to direct purchase.

5. We dispose of the writ petition by directing the respondents to take suitable steps as indicated in paras 6 and 7 (supra) from the affidavit-in-reply as expeditiously as possible.

[ SANTOSH G. CHAPALGAONKAR, J. ]

[ MANGESH S. PATIL, J. ]

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