



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1017 WRIT PETITION NO. 15671 OF 2023

SUHAS JANARDHAN SURWASE AND OTHERS
....Petitioners

VERSUS

THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY AND OTHERS
.....Respondents

.....

Mr. N. L. Jadhav, Advocate for the Petitioners
Mr. P. S. Patil, AGP for the Respondents State
Mr. A. B. Kale, Advocate for Respondent No.4.

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

DATE : 20th December, 2023

ORDER:

1. There is no dispute that the Petitioners appeal is pending before the District Collector in accordance in view of the law and applicable Government Resolutions.
2. The learned AGP submits on instructions that the District Collector would decide the appeal by following the due procedure laid down in law within such a timeline as this Court may direct.
3. The learned Advocate representing Respondent No.4 Developer submits that if the project is delayed, there would be cost escalation. The Petitioners are bound to get compensation as is prescribed in law. For the said purpose, the project need not be delayed.

4. Considering the above, **this Petition is disposed off** with a direction to Respondent No.2/Collector to decide the pending appeal of the Petitioners by following the due procedure laid down in law within 45 days from today. If the compensation is quantified, the same be paid without causing any delay.

5. With the above observations, the project would proceed without any impediment.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan