

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO.3890 OF 2023

1. Raju Ramchandra Tiwaskar, aged about Major, Occup. Agriculturist,
2. Narendra Ramchandra Tiwaskar, aged about Major, Occup. Agriculturist,
3. Vijay Ramchandra Tiwaskar, aged about Major, Occup. Agriculturist.
4. Shantabai Ramchandra Tiwaskar, aged about Major, Occup. Agriculturist,
5. Prakash Balkrushna Kubade, Vikas Balkrushna Kubade, aged about Major, Occup. Agriculturist,
6. Shankar Balkrushna Kubade, Ashok Balkrushna Kubade, aged about Major, Occup. Agriculturist,
7. Pratibha Vikas Kubade, aged about Major, Occup. Agriculturist,
8. Ashokrao Balkrushna Kubade, aged about Major, Occup. Agriculturist,
9. Bharati Pandhari Khatdeo, aged about Major, Occup. Agriculturist,
10. Krushnarao Laxman Ghatode, aged about Major, Occup. Agriculturist,
11. Vandana Dinesh Nikam, aged about Major, Occup. Agriculturist,
12. Sulabai Gulabrao Sable, aged about Major, Occup. Agriculturist,
13. Sudhakar Namdeo Dhole, aged about Major, Occup. Agriculturist,
14. Rajani Satish Sonare, aged about Major, Occup. Agriculturist,

15. Pundlik Ku. Kubade, aged about Major, Occup. Agriculturist,
16. Gamraj Sampat Kubde, aged about Major, Occup. Agriculturist,
17. Vithal Parbhatrao Kanate, aged about Major, Occup. Agriculturist,
18. Yadav Maniktao Warthe, aged about Major, Occup. Agriculturist,
All R/o Dabhi, Musalkheda, Tahsil Warud, District Amravati.

Petitioners**-Vs.-**

1. State of Maharashtra, through its Secretary, Ministry of Water Resources, Department, Mantralaya, Mumbai.
2. Chief Engineer (WR) Water Resources Department, Sinchan Bhawan, Shivaji Nagar, Camp, Amravati.
3. Superintending Engineer, Upper Wardha Irrigation Circle, Sinchan Bhawan, Shivaji Nagar, Camp, Amravati.
4. District Superintendent/Agriculture Officer, Amravati.
5. Taluka Agriculture Officer, Warud, Tahsil, Warud, District Amravati.

Respondents

Mr.H.D.Futane, counsel for petitioners.
Mr. S.A.Ashirgade, Addl.G.P for respondents.

**CORAM:A.S.CHANDURKAR AND
MRS. VRUSHALI V. JOSHI, JJ.**

DATE : 26th JUNE, 2023

ORAL JUDGMENT (Per :A.S.Chandurkar, J.)

Heard.

2. Rule. Rule made returnable forthwith. Heard the learned counsel appearing for the petitioners. The learned AGP waives notice for the respondents.

3. It is the case of the petitioners that they own agricultural lands that are situated in Tahsil Warud, District Amravati. While, undertaking the minor irrigation project, that was approved in the year 2007, their lands were affected by seepage of water therein. The petitioners sought compensation in the matter and while determining the same, the valuation with regard to the fruits bearing trees and other trees was determined for the year 2018-2019. The petitioners seek determination of such compensation as per the rates prevailing in the year 2020-2022. In this regard, they have made various representations and the last such representation is dated 13.07.2022 made to the respondent Nos.3 to 5.

4. In these facts, the interest of justice would be served by directing the respondent Nos.3 to 5 to decide the petitioners'

representation dated 13.07.2022 in the matter of receiving increased compensation. If the respondent Nos.3 to 5 seek appropriate guidance from the respondent Nos. 1 and 2, they are free to obtain the same. The respondent Nos. 3 to 5 shall take a decision on petitioners' representation within the period of six weeks of receiving of the copy of this order.

5. Needless to state that if the petitioners are not satisfied with the outcome of consideration of such representation, they are free to take such steps as are permissible in law.

6. Rule is disposed of in the aforesaid terms. No order as to costs.

(MRS.VRUSHALI V. JOSHI, J)

(A.S.CHANDURKAR, J)