



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 WRIT PETITION NO. 783 OF 2024

BAPURAO MADHAVRAO UGILE

VERSUS

THE STATE OF MAHARASHTRA THROUGH IRRIGATION
DEVELOPMENT DEPARTMENT AND OTHERS

...

Advocate for the Petitioner : Mr. Biradar Ramrao D.
AGP for Respondents 1 to 4/State : Mr. S.B. Narwade
Advocate for Respondent 5 : Mr. U.B. Bondar

...

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

DATE :- 22nd January, 2024

Per Court :-

1. The Petitioner has put forth prayer clause A, which
reads as under:-

“A) *The Petitioner is praying direction to respondent authority to initiate the acquisition proceeding in respect of petitioner’s land situated in survey No.20 admeasuring 2 H at Sayyedpur, Tq.Deoni (Bk), Dist. Latur by joint measurement and pay the compensation as per today’s market value from the date of possession taken by the State Government.*”

2. The contention of the Petitioner is that a wrong person has taken the amount of compensation. The Petitioner was

before this Court in Writ Petition No.3140/2006, which was decided by the judgment dated 17.04.2007 and the joint measurement was directed. The Petitioner was again before this Court in Writ Petition No.4410/2014, which was decided by the order dated 08.01.2019 and the Petitioner was directed to approach the Civil Court. Having approached the Civil Court in RCS No.5/2019, the Petitioner has the judgment and decree in his favour and his right, title and interest has been upheld. He submits that the person, who has wrongly received the amount of compensation, has already returned the amount to the Chief Executive Officer, Zilla Parishad, Latur.

3. Leave to add the Chief Executive Officer, Zilla Parishad, Latur. Addition be carried out forthwith.

4. Since Shri Bondar, the learned Advocate, is on the panel of the Zilla Parishad, we requested him to assist the Court.

5. The Petitioner now prays that the compensation amount be rightfully delivered to him. His representations dated 25.04.2023, 30.11.2023 and 04.12.2023 are pending before the Chief Executive Officer.

6. In view of the above, we request the Chief Executive Officer, Zilla Parishad, Latur, to consider the request

of the Petitioner in the light of the judgment and decree in his favour and draw an appropriate conclusion within a period of 60 days from today. All stakeholders be granted an opportunity of hearing.

7. With the above directions, **this Writ Petition is disposed off.**

kps (Y. G. KHOBRAGADE, J.) (RAVINDRA V. GHUGE, J.)