



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

78 WRIT PETITION NO. 1102 OF 2024

GOPIAKABAI ABHIMANYU JAGTAP AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

Mr.S.E. Shekade, Advocate for the petitioners.

Mr.S.B. Narwade, AGP for the respondent/State.

Mr.PD. Suryawanshi, Advocate for respondent/Zilla Parishad, Beed.

CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATED : 29.01.2024

PC :-

01. The petitioner has putforth prayer clauses (B) and (C) as under :-

B) Issue Writ of mandamus or any other appropriate writ or order against respondents to complete the acquisition proceeding and to pass award U/Sec.25 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Settlement Act, 2013 in respect of acquired lands of the Petitioners as described in para no.3 of the Writ Petition which is used for the Percolation Tank No.10, Wadwani (Ovaldara), Tq. Wadwani, Dist. Beed in File NO. LNQ/SR/03/07.

C) Pending hearing and final disposal of the writ petition the respondents no.2 to 4 be directed to pay to the petitioners 80% compensation of the acquired land, within a period of four weeks from today as per revealing ready reckoner rate.

02. The Government decided to build the percolation tank No.10 on

21.01.2004, in terms of the administrative sanction granted by the District Collector. Possession of the land was taken in 2003. Land has been measured and acquisition proceedings were initiated. On 26.03.2015, the Land Acquisition Officer issued a letter to the acquiring body asking for a new proposal in terms of the 2013 Act. By communication dated 29.03.2023, the Dy. Commissioner, Aurangabad directed the District Collector, Beed to initiate proper proceedings as per the provisions of the 2013 Act.

02. In view of the above, **this petition is disposed off** with the directions to the District Collector, Beed to act expeditiously in the light of the communication dated 29.03.2023 and initiate land acquisition proceedings under the 2013 Act. The timeline prescribed shall be followed and the compensation commensurate to the land acquired, shall be paid to the petitioners.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]