



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

53 WRIT PETITION NO. 4751 of 2024

Jitendrakumar Nandlal JainPetitioner

versus

The Divisional Commissioner & othersRespondents

.....

Mr. D. S. Bagul, Advocate for the Petitioner.
Ms. Neha Kamble, AGP for the State.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 6th MAY, 2024.

PER COURT :

1. We have considered the submissions of the learned Advocates for the respective sides. With their assistance, we have gone through the Petition paper-book and perused the record. We have seen the additional photographs tendered by the learned Advocate for the Petitioners.

2. The learned AGP submits, in the light of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition and Resettlement Act, 2013 (for short, 'the Act of 2013') that, if the Petitioners are not accepting the award for being aggrieved

for purported non-payment of the compensation for the fruit bearing trees, all these grounds can be raised by the Petitioners under Section 64 of the Act of 2013 and the Collector would thereafter refer the matter to the appropriate authority in view of the first proviso below Section 64(1) of the Act of 2013.

3. In view of the above the statement, **this Writ Petition is disposed off** with liberty to the Petitioners to make an application under Section 64 of the Act of 2013, listing out each of their grievances with adequate material/documents on which they intend to place reliance. The Collector shall consider the said documents and in terms of the first proviso, initiate steps as are expected in law.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

dyb