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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**WRIT PETITION NO.8771 OF 2024
(GULABRAO BHAGWAT PATIL VS. THE STATE OF MAHARASHTRA
AND ANOTHER)**

Mr.Vijay B.Patil, Advocate for the Petitioner.
Mr.R.S.Wani, AGP for the Respondent/State.

**(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)**

DATE : AUGUST 22, 2024

PER COURT :

1. The Petitioner's representations mentioned in prayer clause 'B' are pending adjudication for the purpose of computing rental compensation. The Petitioner relies upon an order passed by this Court dated 20.06.2019, in WP No.7032/2019 (Balu Rakhmaji Tribhuvan Vs. The State of Maharashtra and Others), wherein the application of the Petitioner, seeking rental compensation, was pending before the acquiring body. This Court directed the Petitioner to seek rental compensation by filing an application before the Competent Authority / S.L.A.O.

2. In the present case, the Petitioner's application is pending

before Respondent No.2 / S.L.A.O. The learned Government Pleader relies upon the Government Circular dated 24.03.1988, by which the acquiring body has to decide the quantum of rental compensation and not the S.L.A.O. He, therefore, submits that the S.L.A.O. may not have the power to decide the issue of rental compensation.

3. In view of the above, **this Petition is disposed off** with the direction to the Competent Authority to decide the pending application of the Petitioner for rental compensation, if it has jurisdiction, on its own merits, in accordance with Law and after hearing all the stake holders concerned with the same, within a period of 9 months. We leave all the objections of the parties open to be considered by the S.L.A.O. and if the S.L.A.O. comes to a conclusion that it does not have the authority to deal with the rental compensation matter, he would pass a speaking order drawing a conclusion as to which Authority would be empowered to decide the said issue.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)