



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9267 OF 2024

SHAHAJI DAGDU DEORE AND OTHERS

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...

Shri Dhananjay Mane, Advocate for the Petitioners.

Shri S.K. Tambe, AGP for Respondent Nos.1 to 5/State.

...

CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 28th August, 2024

Per Court :-

1. We have heard the learned Advocate for the Petitioners and the learned AGP.

2. The acquisition of land for the minor percolation tank at village Irachiwadi, Taluka Bhoom, District Dharashiv, is said to be underway. Private negotiations have commenced. The Petitioners apprehend that their fruit bearing trees may not be considered in the private negotiations.

3. In private negotiations, there cannot be any

compulsion. If the Petitioners are of the view that their fruit bearing trees are not being considered, they would not be under any duress to settle on the valuation of the land. If they are not agreeable for private negotiations, the concerned Authorities would take recourse to the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and can proceed for compulsory acquisition.

4. With the above observation, **this Writ Petition is disposed off.**

kps **(Y. G. KHOBRADE, J.)** **(RAVINDRA V. GHUGE, J.)**