



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

WRIT PETITION NO. 9524 OF 2024

**KAILAS BADDHU RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

.....
Advocate for the Petitioner : Mr. Rodge Suresh N.
AGP for Respondents: Ms. Neha Kamble
.....

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 4th September, 2024**

PC. :-

1. The Petitioners pray that the pending proceedings under Section 28A of the Land Acquisition Act, 1894 be expedited and concluded.
2. It is settled by the judgment of the Hon'ble Supreme Court in **Bharatsing Gulabsingh Jakhad and Ors. V/s. The State of Maharashtra & Ors.; (2018) 11 SCC 92** and in **Ramsingbhai (Ramsangbhai) Jerambhai V/s. The State of Gujarat and Anr.; (2018) 16 SCC 445**, that if a First Appeal is filed by the Authorities challenging the enhancement granted under Section 18 of the Act, the proceedings under Section 28A should be adjourned *sine die*.

3. In view of the above, **this Writ Petition is disposed off** with the following directions:

a) If no First Appeal has been filed, Respondent No.2 shall decide the Petitioners application under Section 28A, lodged in 2013, after due verification, within a period of 180 days.

b) In the event a First Appeal has been preferred and the same is pending, the proceedings under Section 28A shall be adjourned and would be taken up for adjudication only after the First Appeal is decided.

[Y.G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]