



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

WRIT PETITION NO. 11410 OF 2023

**DHANANJAY MAHADEV JOGDAND AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH THE SECRETARY AND
OTHERS**

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Mr. S. A. Ambilwade, Advocate for Petitioners
Ms Nikita Gore, Standing Counsel for Respondent Nos. 1 and 5
Mr. B. M. Dhanure, AGP for Respondent Nos. 2, 7, 8 and 9
Mr. S. S. Varma and Mr. S. S. Ladda, Advocates for Respondent
No.6

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 12.06.2024

PER COURT :-

1. Heard the learned Advocates for the respective sides.
2. We find that in similar set of circumstances a co-ordinate Bench of this Court has passed an order on 05.04.2023 in Writ Petition No.8088 of 2019 (Dilip Vishwambhar Sulakhe and others Vs. the Union of India and others), at Aurangabad.

3. It is undisputed that the facts involved in the said case are identical to those before us.

4. For ready reference, we are reproducing paragraph Nos. 7, 8 and 9 of the order dated 05.04.2023, hereunder:-

“7. Counsel for petitioners states that they are willing to get the lands measured at their own costs. In this view, we deem it appropriate to direct all the respondents to co-operate and agree for joint measurement at the costs of petitioners. If it is inferred from the joint measurement report that the lands of petitioners are affected, to which respondents are in agreement, the respondents shall submit a proposal for acquisition of the land of petitioners so affected within eight weeks thereafter. The said proposal be decided within the statutory period.

8. Needless to clarify, in case if such proposal is placed for acquisition, petitioners shall be entitled to all the benefits under the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 including the costs of the joint measurement.

9. In view of the above, the petition stands disposed of. However, petitioners shall be at liberty to canvass their grievance afresh, in case if any cause to that effect arises.”

5. The learned Advocate for the Petitioners submits on instructions that the petitioners would be satisfied if the same directions are issued in this matter. The Respondents have no objection.

6. In view of the above, by recording the above statement and in view of the directions in the above reproduced paragraph No.7, **this Writ Petition is disposed off.**

7. The Petitioners shall deposit the quantified amounts towards measurement as may be directed by the appropriate authority. After such amounts are deposited, the authority would issue notices to all the stakeholders by giving at least seven days notice period and thereafter carry out the measurement. Let this exercise be completed within 30 days from the date of depositing of the charges by these petitioners.

8. Needless to state, the other directions in paragraph Nos. 7 and 8 reproduced above, would apply to the Petitioners.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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