



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 WRIT PETITION NO. 197 OF 2022

NIRANJAN OMPRAKASH AGRAWAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. D. S. Bagul, Advocate for the Petitioner
Mr. S. K. Tambe, AGP for Respondent No.1 State
Mr. R. B. Bhosale, Advocate for Respondent No.2.

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 14th June, 2024

ORDER:

1. Considering Prayer Clauses (B) and (C), in the light of the judgment dated 24th August, 2022 delivered by the Hon'ble Supreme Court in Civil Appeal No. 5256 of 2022 (NHAI Vs. Sheetal Jaydeo Wade & others), we expressed our disinclination to entertain the prayer for recovery of compensation amount under the award, dated 04.01.2019.
2. The learned Standing Counsel for the Union of India refers to the affidavit in reply filed on behalf of the Competent Authority (Land Acquisition), dated 23rd March, 2022 that as the Petitioner is a purchaser after acquisition proceedings and the original land owner Respondent No. 2 is on record in the Award, the amount, as awarded to Respondent No.2, shall be delivered to him.
3. The learned advocate for the Petitioner submits on instructions that the Petitioner does not have any objection, if the award

amount is paid to Respondent No.2, since Respondent No.2 has sworn an affidavit dated 22.07.2022, filed in this Court declaring that he has no objection if the said amount is delivered to the Petitioner.

4. We are informed that Respondent No.2 is 86 years of age and he would himself appear before Respondent No.1 to collect the money. The learned counsel representing Respondent No.1 submits that Respondent No.2 can appear before Respondent No.1, on 10th July, 2024 at 11.00 a.m. and the compensation amount as granted under the award would be paid to him after he tenders an application containing bank details.

5. In view of the above statements, **this Writ Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan