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

**954 WRIT PETITION NO. 7300 OF 2024
(Board dated 16.07.2024)**

**RAJKUMAR NARSING PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

...

Shri B.K. Pawar, Advocate i/by Shri Kale Ajeet B., Advocate for
the Petitioners.

Shri S.J. Salgare, AGP for Respondent Nos.1 and 2/State.

Shri B.M. Dhanure, Standing Counsel for Respondent No.3.

...

**AND
933 WRIT PETITION NO. 7478 OF 2024
(Board dated 19.07.2024)**

**VAIJINATH BASWANAPPA SADDU AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

...

Shri B.K. Pawar, Advocate i/by Shri Kale Ajeet B., Advocate for
the Petitioners.

Shri N.S. Tekale, AGP for Respondent Nos.1 and 2/State.

Shri B.M. Dhanure, Standing Counsel for Respondent No.3.

...

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

DATE :- 19th July, 2024

Per Court :-

1. The learned Advocates for the respective sides and

the learned AGP have addressed us. These matters pertain to the passing of the second award. All the learned Advocates concede that in view of the issue dealt with by this Court and the conclusions drawn vide the order dated 23.06.2023, in Writ Petition No.1653/2022 and connected matters (***Gunwant Hanmant Darekar and others vs. The State of Maharashtra and others***), these petitions can also be disposed off in the light of the same order.

2. In view of the above and for the reasons stated in the order dated 23.06.2023 in ***Gunwant Hanmant Darekar (supra)***, these Writ Petitions are disposed off with the same directions and observations as under:-

(a) We expect the learned Court dealing with the proceedings under Section 34, to primarily consider as to the origin of the second award within the crystallized position of law in the light of ***Bhupendrasingh vs. Competent Authority and others, (2020) 1 AIR Bom R 645 : (2020) 2 Bom CR 296*** as well as the judgment delivered by the ***Madhya Pradesh High Court in Indrakala Agrawal vs. State of M.P. and others, 2021 AIR CC 1582*** and the view taken by this Court vide the

judgment dated 08.11.2019 delivered at Aurangabad in Writ Petition No.1883/2018 (*Yasminbegum Bakshulla Khan and others vs. The State of Maharashtra and others*).

(b) Since these proceedings are pending since 2019, the learned Advocate for the Petitioners prays for expeditious disposal of the said proceedings.

(c) In the peculiar facts that the farmers have lost their lands, we would appreciate if the concerned Court decides these proceedings on or before 31.01.2025.

(d) Needless to state, all contentions of the litigating parties are kept open.

(e) If any issue of restoration of the proceedings under Section 34 before the competent forum is taken up, we would appreciate if the said proceedings are considered expeditiously and in the light of the settled principles of law.

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(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)