



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15149 OF 2023

Ashish Bhatulal Agrawal & another .. Petitioners

versus

The State of Maharashtra & others .. Respondents

Mr. A. B. Kale, Advocate for the Petitioners.

Mr. P. K. Lakhotiya, AGP for Respondent Nos. 1 to 3.

Mr. V. V. Tarde, Advocate for Respondent No. 4.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 15th APRIL, 2024.

PER COURT :

1. The learned Advocate for the Petitioners submits that after the filing of this Petition on 09.11.2023, the authorities have delivered the award on 10.01.2024. The amount of compensation quantified as Rs. 7,18,64,488/-. The only grievance that remains is that the concerned authorities have informed the Petitioners that they would pay the compensation as and when the amount is procured from the Government.

2. The learned Advocate representing Respondent No. 4 submits that a request for the amount has been made to the Government. After the amount is received, the Petitioners would be paid the compensation.

3. We find that the above situation would only frustrate the object of the Act. The land losers who lose their source of earning are not to be made to wait for payment of compensation until the funds are generated. There have been cases before us wherein the compensation has not been paid even for decades. This situation needs to be changed if the interest of the land losers is to be considered.

4. In view of the above, **as the Writ Petition is worked out, the same is disposed off.**

5. We direct Respondent No. 4 to ensure that the amount of compensation shall be paid to the Petitioners in lump sum (if the total amount is generated) within 6 months, OR, in three equated installments as follows :-

- a) The first installment shall be payable on or before 15.06.2024.
- b) The remaining two installments shall be paid on or before 15.08.2024 and 15.10.2024, respectively.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

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