

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.13161 OF 2022

Babruvhan Shankar Zinjurte & Ors.

.. Petitioners

Versus

The State of Maharashtra

through Secretary of Department of Industry,
Power and Labour and Ors.

.. Respondents

Mr.Ajay A. Joshi for the Petitioners.

Mr.R.P. Kadam for the Respondent Nos.1 to 5-State.

Mr.Akash Menon for Respondent Nos.6 & 7.

***CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ.***

DATE : 9th January 2024

PC:-

. Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

2. The petitioners are aggrieved by the absence of any steps being taken to determine the amount of compensation to which they are entitled pursuant to their lands being affected by laying down of high tension wires by installation of electric towers. The said activities are being undertaken by respondent nos.6 and 7. According to the petitioners, they are entitled to be compensated in terms of the Government Resolution dated 31st May 2017.

3. After the writ petition was filed, the petitioner had filed an additional affidavit stating therein that on 2nd November 2022, the Industries, Energy and Labour Department of the State of Maharashtra has issued a Government Resolution indicating the manner in which such compensation is to be determined. The Government Resolution indicates constitution of a Seven Member Committee as well as the manner in which such exercise has to be undertaken. This is followed by a supplementary Government Resolution dated 1st December 2022 laying down further guidelines for implementation of the said Government Resolution. It is thus urged that the amount of compensation be determined in accordance with Government Resolution dated 2nd November 2022 read with 1st December 2022.

4. The learned Assistant Government Pleader, on instructions, submits that on 17th October 2023, the concerned Authority had agreed to undertake the survey and thereafter, to take further steps for determining the amount of compensation.

5. Considering the fact that the petitioners are entitled to be compensated, the writ petition is disposed of by directing respondent nos.1 to 3 to take appropriate steps in accordance with the Government

Resolutions dated 2nd November 2022 and 1st December 2022 and to determine the amount of compensation. The entire exercise will be completed within a period of three months from today. The Committee constituted shall take into consideration all relevant aspects while determining the amount of compensation.

6. The petitioner shall, in the meanwhile, to pay deficit Court Fees.

7. Rule is disposed of in aforesaid terms. No order as to costs.

JITENDRA JAIN, J.

A.S. CHANDURKAR, J.