

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6813 OF 2024
WITH
INTERIM APPLICATION NO. 10457 OF 2024

Vishwanath Shankar Patil .. Petitioner
Versus
The Special Land Acquisition Officer & Ors. .. Respondents

WRIT PETITION NO. 6845 OF 2024

Vishwanath Shankar Patil .. Petitioner
Versus
The Special Land Acquisition Officer & Ors. .. Respondents

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- Mr. Sandesh Patil a/w Mr. Saurabh Patil for Petitioner
 - Ms. Savita Prabhune for Respondent - State
 - Mr. Janardan Ambadas Kasar, SLAO, Metro Center 1, Uran
 - Mr. Nitesh Bhutekar a/w Ms. Priyanka Lake & Mr. Karan B. for Respondent Nos. 2 to 5, 12 and 13

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CORAM : MILIND N. JADHAV, J.
DATE : AUGUST 21, 2024

P. C.:

1. Heard learned Advocates appearing for the parties.
2. Pursuant to the previous order, learned AGP has drawn my attention to two distinctive facts. She would submit that in so far as the issue of deduction of TDS amount is concerned, it is not with respect to the amount that has been enhanced by the Reference Court but it is only with respect to the interest which the SLAO has received on the enhanced amount. According to her, TDS is deductible on the

interest received. Mr. Patil would however refute the above position in law. If that be the position, learned AGP is directed to file appropriate affidavit and explain the said position on affidavit so that this Court will be in a position to deal with the same. That apart, learned AGP would submit that the date of Notification taken by the learned Executing Court while calculating the amount of compensation under the said Act is incorrect. She would submit that the correct relevant date in the present case for the purpose of computation of the compensation payable to the Claimants is 27.08.1987. However, compensation has been computed by taking into account an incorrect relevant date i.e. 24.09.1986. Hence, the SLAO has deposited a lesser amount. I direct the SLAO to file the computation of the amount awarded on affidavit so that it can benefit the Court to pass appropriate orders.

3. Learned AGP is directed by this Court to file appropriate affidavit which shall be filed within a period of two weeks from today. Copy of the same shall be served on Mr. Patil and Mr. Bhutekar by the learned AGP. Affidavit in rejoinder is directed to be filed within a period of one week thereafter.

4. Stand over to **11th September, 2024**. To be placed under the caption "**First on Board**".