



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2943 OF 2022

(Dharmpal s/o. Ramkumar Agrawal...Vs... The State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. S.P. Bhandarkar, counsel for the petitioner,
Mr. N.S. Rao, AGP for respondent Nos. 1& 2,
Mr. A.A. Kathane, counsel for respondent No. 3.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : MARCH 28, 2024

Heard.

2. Considering the claim under Sub-section 2 of Section 93 of the Act No. 30 of 2023 i.e. the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 ("Act"), the learned counsel for petitioner submits that irrespective of the communication placed on record with Pursis which is in question in the petition, the petitioner shall file claim for damages including all the details before the learned Collector as the respondent has withdrawn the land from the acquisition though there is an Award. In view of above, aforesaid fact of withdrawal of the land of the petitioner from acquisition is not in dispute that the learned counsel for respondents have made categorical statement that the land of the petitioner is not subjected to acquisition any more.

Belkhede

3. In such an eventuality, we deem it appropriate to permit the petitioner to submit a statement of claim of damages suffered by him in relation to the acquisition proceedings which is subject matter in the present petition to be submitted within six weeks from today.

4. In case, if such claim is submitted to the Collector, same be considered and decided in view of scheme under sub-section 2 of Section 92 of the Act, expeditiously.

5. Accordingly, the petition stands disposed of, as withdrawn.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)