

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5834 OF 2023

Deorao Rambhau Subhedar Deceased Through His Lrs Tukaram
Deorao Subhedar And Others

VERSUS

The State Of Maharashtra Through The Collector And Another

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Advocate for the Petitioner : Ms. Rekha Mohale Choudhari h/f Mr.
Choudhari Sameer S.

AGP for Respondent/State : Mr. V.S. Badakh

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 10, 2025

PER COURT :

1. Heard.
2. Issue notice to the respondents. Learned AGP waives notice for the respondent/State.
3. With the consent of parties, taken up for final disposal at admission stage.
4. Present petition is arising out of the order dated 30.03.2021 passed by the Sub Divisional Officer/Land Acquisition Officer, Latur in File No.2009/Land Acquisition/Kavi-69 whereby the reference for enhanced compensation filed by petitioner came to be rejected.
5. I have gone through the order passed by the Sub Divisional Officer. After going through the order, it transpires that the reference was not decided on merits and as some objections were

there which are mentioned in clauses (1), (2) and (3) of the said order. The said reference was rejected on the ground that petitioner had failed to file copy of award passed by the learned C.J.S.D. Latur in L.A.R. No.1608 of 1990, 8-A extract and requisite Court fee.

6. As the issue pertains to the land acquisition of the agriculturists, in view of the fact that the reference was not decided on merit, I am inclined to allow the present petition by setting aside the order passed by the authority and restoring the reference.

7. In view thereof, the petition is allowed. The order dated 30.03.2021 passed by the Sub Divisional Officer/Land Acquisition Officer, Latur in File No.2009/Land Acquisition/Kavi-69 is quashed and aside. The reference is restored to its original file.

8. The petitioner is at liberty to file appropriate documents before the Land Acquisition Officer.

9. It is made clear that the reference was decided on 30.03.2021 and therefore, from 30.03.2021 till this date, petitioners shall not be entitled to claim interest on the awarded amount, if the reference is allowed in favour of the petitioners.

(SIDDHESHWAR S. THOMBRE, J.)