



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7948 OF 2021

Dattatraya s/o Tukaram Gaikwad
& others

.. Petitioners

versus

The State of Maharashtra & others

.. Respondents

Mr. S. A. Wakure, Advocate for the Petitioners.

Mrs. V. N. Patil Jadhav, AGP for the State.

**CORAM : ALOK ARADHE, C.J. &
S. G. CHAPALGAONKAR, J.**

DATE : 20th MARCH, 2025.

PER COURT :

1. Petitioners filed objection to disbursement of compensation amount to Respondent No. 3 stating that the land owned by them to the extent 50 R is acquired which is adjacent to the earlier acquired land. The dispute as raised by the Petitioners would fall within the purview of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, the Respondents/authority rejected the same without making reference.

2. Having considered the submissions advanced, we are satisfied that the Respondents/authority was under obligation to make reference in terms of Section 64 of the Act. In the result, we pass the following order :-

- i. Writ Petition is partly allowed.
- ii. Impugned order dated 09.04.2021 passed by the Sub-Divisional Officer/Land Acquisition Officer, Osmanabad in File No. 2017/LA/CR-02, is quashed and set aside.
- iii. Respondents/authority shall refer the dispute to the authority under Section 64 of the Act.

(S. G. CHAPALGAONKAR, J.)

(CHIEF JUSTICE)

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