



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11577 OF 2024

Yusuf Khan Namada Khan Pathan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Ajeet B. Kale, Advocate for the Petitioner.

Shri D. R. Korde, A.G.P. for the Respondent Nos. 1 to 3.

Shri A. D. Pawar, Advocate for the Respondent No. 4.

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**

DATE : 04TH FEBRUARY, 2025.

ORDER :

. Heard the learned counsel for the petitioner. Issue notice to the respondents. The learned A. G. P. waives service of notice for the respondent Nos. 1 to 3. Learned counsel Mr. Pawar waives service of notice for the respondent No. 4.

2. The petitioner has simple case that his land bearing gut No. 278/1 has been completely acquired. However, award for 20R land (Pot kharab) was not passed. Therefore, he made a request to the Sub Divisional Officer cum Land Acquisition Officer for passing an award for 20R land (Pot Kharab).

3. In pursuance thereof the Sub Divisional Officer, Dhule addressed a letter dated 04.02.2022 to the respondent No. 4

specifically directing him that the said land was not included in the measurement. Therefore, an enquiry be made and concise information be given whether land is acquired or not. If it is so fresh proposal for acquisition of 20R land be submitted. The respondent No. 4 by letter dated 10.03.2022 as usual gave vague reply. No specific information is expressed whether this land is acquired or not. The inference of letter is that 20R land has been acquired, though not shown in the measurement. In this situation instead of issuing vague reply, the respondent No. 4 should have sent fresh proposal for acquisition and passing additional award for 20R land.

4. Hence, we allow this writ petition by directing the respondent No. 4 to submit a fresh proposal for passing additional award for the acquisition of 20R land (phot kharab) within three (03) weeks from today. On receiving said proposal the Land Acquisition Officer should pass an award within one (01) month thereafter according to law. No order as to costs.

[SHAILESH P. BRAHME J.]

[S. G. MEHARE, J.]

bsb/Feb. 25