



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

901 WRIT PETITION NO. 12734 OF 2018

Navnath Manohar Kamble

VERSUS

The State Of Maharashtra And Others

...

Advocate for the Petitioner : Mr. Tungar Hrishikesh V. And Pawar
Haribhau B

AGP for Respondents-State: Mr. P. K. Lakhotiya

...

**CORAM : R. G. AVACHAT &
ABASAHEB D. SHINDE, JJ.**

Dated : SEPTEMBER 18, 2025

PER COURT : -

1. Heard.

2. The land of the petitioner has been acquired for public purpose. An award was passed way back in 1995-1996. The petitioner made a reference under Section 18 of the Land Acquisition Act (old). The record indicates that the Special Land Acquisition Officer, Jaikwadi Project, received the same on 26/02/1996. It, however, appears that the officer did not refer the same to the Court for decision thereon. The petitioner is therefore before us.

3. The learned AGP informed that search of the office record indicates that no such reference was in fact received by the office.

4. The petitioner, on oath, stated in the petition itself and even placed on record the copy indicating the acknowledgement of receipt of the reference made by the petitioner. The respondent, therefore, could not be heard to say the same to have not been finding place with their record. It is the bounden duty of the respondent Land Acquisition Officer to refer the same to the Reference Court. Since the original reference is not with his office, we direct the officer concerned to reconstruct the same. The petitioner shall produce before the concerned Land Acquisition Officer a copy of the reference made by him, way back in 1995-1996, along with documents he proposes to rely on. Once the documents are received by the Special Land Acquisition Officer, the same shall be referred to the Reference Court within a period of three weeks. The Reference Court shall not raise an issue of limitation, in making such reference.

5. With these observations, the writ petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(R. G. AVACHAT, J.)

vj gawade/-.