



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

WRIT PETITION NO. 180 OF 2022

RIZAWAN KHAN MASUD KHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Durgesh M. Pingale
AGP for Respondents : Ms. R. R. Tandale
...

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

DATE : 28-02-2025

PER COURT:-

1. Heard the learned counsel for the petitioners.
2. Admittedly, the award is passed. After passing of the award, a proposal was sent to the Collector for making arrangement for compensation amount. However, the Collector intimated that there is error of not calculating the interest as per the Land Acquisition Act, 1894 and the name of the village was also incorrectly mentioned.
3. The learned A.G.P. states that correction could not be done after six months. The Land Acquisition Officer has to correct the same and calculate the interest under the L.A.Act, 1894. In view of the fact and considering the peculiar circumstances, we are of the opinion that this is a fit case to exercise the discretion under Article 226 of the Constitution, to make justice to the petitioners who are entitled to compensation.

4. The writ petition stands disposed of by granting leave to the Land Acquisition Officer to correct the name of the village and calculate interest under Section 34 of the Land Acquisition Act, 1894 and it to existing award within three weeks from today. Thereafter, the proposal be submitted to the Collector forthwith and after the proposal is received by the Collector, he should make an arrangement for the compensation amount within three months and it be deposited with the Land Acquisition Officer. Thereafter, the Land Acquisition Officer should forthwith release the compensation amount.

5. We make it clear that this order is passed in peculiar circumstances. Hence, this would not be treated as precedent.

[SHAILESH P. BRAHME]
JUDGE

[S. G. MEHARE]
JUDGE

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