

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4456 OF 2025

Vishwasrao Dattatray Kachare

... Petitioner

Versus

Competent Authority @

Deputy Collector & Ors.

... Respondents

Mr. Rajesh N. Kachare for the Petitioner.

Mr. Siddheshwar B. Kalel, A.G.P for the Respondent Nos.1 & 7-State.

Mr. Rakesh Singh (Through V.C.) for Respondent Nos.2 to 4.

Mr. Vijay Killedar for the Respondent No. 6-UoI.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : 7th October 2025.

P.C. :

1. Heard learned counsel for the parties.
2. Advocate Mr. Singh submits that he needs some time to take instructions and place on record the stand of the Respondent Nos.2 & 4.
3. This Petition prays for the following reliefs :

“a) This Hon'ble Court be pleased to issue a Writ of Mandamus or Writ in the nature of Mandamus or any other Writ or direction directing the Respondent No. 2 and 4 to to deposit within 4 week, the amount of compensation along with interest @ 9% for the first year and thereafter @ 15% from the

date of taking possession under section 3(D) of 1956 Act until the realization with Respondent No. 1 under section 3(H)(1) of Act of 1956.

b) This Hon'ble Court further direct the Respondent No. 1 to release the entire amount of Compensation together with interest within a period of 15 days to the Petitioner from the deposit under section 3(H)(1) of Act of 1956.”

4. The Petitioner's land, which is the subject matter of this Petition, was acquired for the purpose of Surat-Chennai Greenfield Corridor (National Highway Ahmednagar-Solapur-Akkalkot Maharashtra/Karnataka border (Solapur Spur Connectivity). The land is situated at village Tandulwadi, Taluka South Solapur, District Solapur. The Petitioner prays for compensation of the land, which has already been acquired and the position is not disputed that the same has been used for the purpose of this corridor.

5. On 19th March 2025, the Respondent No.1-Competent Authority @ Deputy Collector informed the Petitioner that the award made by the competent authority i.e. the Deputy Collector, Land Acquisition No.11, Solapur, has been forwarded to the Respondent Nos.2 & 4 for necessary approval on 12th October 2023, which has not been approved so far. As per the provisions of *the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* (For short, “2013 Act”), the compensation amount has to be deposited by the

Respondent No.2 before taking physical possession.

6. In this view of the matter, though learned counsel Mr. Singh appearing for the Respondent No.2 & 4 prays for some time to file an Affidavit-in-Reply and to take instructions, we do not think this is a fit case where the Respondent Nos.2 & 4 should be granted any further indulgence.

7. Mr. Singh submits that in all probabilities the compensation amount must have to been deposited.

8. If that is so, the Respondent No.1 has to take necessary steps for disbursement of the compensation to the owners of the land expeditiously. If the compensation amount is not yet deposited by the Respondent Nos.2 & 4, we direct the same should be deposited within a period of four weeks from today with interest as per Section 80 of the 2013 Act. The Respondent No.1 shall then take immediate steps for payment of the compensation to the Petitioners / owners of the land / claimants of the compensation, within a period of four weeks from the date of deposit.

9. Petition is disposed of in above terms.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]