

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8716 OF 2024

1. Rashid Tukadu Bagwan, Age 70 years,
2. Rahim Tukade Bagwan, Age 58 years,
3. Harun Tukadu Bagwan, Age 56 years,
4. Akil Tukadu Bagwan, Age 53 years,
All R/o. Palasadae, Tal. Malegaon, Dist. Nashik

Petitioners

Versus

1. The State of Maharashtra through
Principal Secretary, Irrigation Department
2. The District Collector, Nashik
3. The SDO @ Land Acquisition,
Malegaon Sub Division
4. The Co-ordination Officer (Land Acquisition)
5. The Executive Engineer, Dhule
Irrigation Department
6. The SDO, Irrigation Department, Dhule

Respondents

Mr. J. G. Aradwad Reddy for Petitioner.

Ms. Dhruti Kapadia, AGP, for Respondent State.

Mr. Tushar Sonawane for Respondent nos. 5 and 6.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 6th October 2025

JUDGMENT (Per : Aarti Sathe, J.) :-

1. This is yet another case where the acquisition of land has been made without following the due process of law as envisaged under the provisions of Right to fair compensation and transparency in land Acquisition, Rehabilitation And Resettlement Act, 2013 (hereinafter referred to as "Act of 2013") and/or the provisions of Land Acquisition Act, 1894, thereby depriving the persons whose

lands have been acquired without compensations. It is well settled that such right has been protected under Article 300A of the Constitution of India which envisages that a person cannot be deprived of their property save by authority of law. The Supreme Court and this Court have time and again in various decisions have recognized such rights of the owners of the land who were granted reliefs, considering that their lands were acquired without following due process of law.

2. In the present case also, we are confronted with similar situations wherein lands belonging to the Petitioners have been acquired, however, no compensation was paid to them. This to our mind is completely contrary to the objects and reasons for which the Act of 2013 was passed and brought into effect. It is a legislation which is intended to ensure that the owners of the land become partners in the development leading to an improvement in their post-acquisition social and economic status and for matters connected herewith and incidental thereto. The short object for which the Act of 2013 has been enacted is reproduced below :-

“An Act to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.”

3. With such preface we note the relevant facts as set out in the memo of the present petition which are as under:-

3.1 The Petitioner's late father i.e Tukadu Lukdu Bagwan was the owner of agricultural land bearing Gat No. 58/1 admeasuring 4 H 38 R and Potkharaba 5 H 48 R and Gat No. 59, admeasuring 1 H 30 R and Potkharaba 1 H 61 R situated at Palastare, Taluka Malegaon, District Nashik (hereinafter referred to as the "larger property"). The 7/12 extracts of the larger property shows the Petitioner's late father i.e Tukadu Lukdu Bagwan as the owner of the said property since the year 1956 and the Petitioners' family was cultivating the said larger property as agriculturists. Post the demise of the Petitioners' late father the Petitioners' became owner of the larger property and their name was reflected in the 7/12 extracts of the larger property.

3.2 In the year 1963, the Government approved the construction of Laghu Pazar Talav (small seepage pond) (hereinafter referred to as "the reservoir/ dam") at Kulathe, Taluka Dhule and administrative approval to that effect was granted on 27th June 1963. The construction of the said reservoir/dam was completed in the year 1968-1969 and out of the larger property of the Petitioner, the Petitioner's Agricultural land admeasuring 1 H 69 R out of Gat No. 58/1 and land measuring 0 H 30 R from Gat No. 59 (hereinafter referred to as the "subject property") became part of the said reservoir/dam, however the same was acquired without following due process of law and no compensation in respect thereof has been granted to the Petitioner since 1968-1969.

3.3 Since neither acquisition was made of the subject property nor any compensation awarded to the Petitioner in respect of the subject property, the Petitioner's late father i.e Tukadu Lukdu Bagwan made several representations to the authorities to pass an award and grant of compensation in lieu of subject property which was made part of the said reservoir/dam. It is only after several request by way of application/representation made by Petitioner's late father i.e Tukadu Lukdu Bagwan, in the year 1982 for the first time, a mutation entry no. 131 was effected/executed in respect of the subject property on 24th August 1982, specifically stating that the subject property was acquired for the said dam. However, on 06th January 1998, the Respondent No. 5 on the basis of the report of village Talathi informed Respondent No. 6 that the Petitioner's subject property

was not acquired and no compensation was made till date. On 25th March 1998, Respondent No. 5 directed Petitioner's late father i.e. Tukadu Lukdu Bagwan to execute a written document conveying his willingness to the Executive Engineer, Dhule Irrigation Department for giving the subject property for the purpose of the said reservoir/dam.

3.4 It is only after various visits and representations made to the Respondent No.5, Special Land Acquisition Officer (draught no.1) Nashik (SLAO) initiated acquisition proceedings bearing No. 49/1998 in respect of the subject property and issued a notification under section 4 of the Land Acquisition Act, 1894 on 29th October 1999. In spite of the aforesaid notification under section 4 of Land Acquisition Act 1894, no further steps are taken for passing the award neither grant of compensation was made even though the possession of the subject property was taken over by the Petitioner way back in the year 1968. It is only after a gap of 17 years that Respondent No. 3 on 22nd April 2016 informed Respondent No.5 that the post of Land Acquisition Officer has been scrapped and therefore in the October/November, 2016, acquisition of subject property of the Petitioner was transferred to Respondent No. 6. Thereafter on 14th May 2016, Respondent No.5 informed that since no award was passed under section 6 of the Land Acquisition Act, 1894, in pursuance of section 4 notification issued earlier, the process of acquisition of the subject property had to be initiated under the Act of 2013. In view thereof, the Chief Executive Engineer, Dhule Irrigation Department forwarded a proposal for the acquisition of the subject property. The Petitioners also made detailed representations to the Hon'ble Irrigation Minister stating all the relevant facts and requesting him to look into the matter.

3.5 However, there was inaction again on the part of various authorities from 2016 to 2023 and only on 21st February 2023, the Coordination Officer (Land Acquisition Officer) Nashik i.e. Respondent No. 4 informed Sub Divisional Officer, Malegaon i.e. Respondent No. 3 to initiate the process of Land Acquisition afresh in respect of the subject property of the Petitioner by private negotiations and the Respondent No.3 was authorized to conduct the private negotiations with the Petitioner. Pursuant to the aforesaid, a public notice dated 24th May 2023 was

issued by Respondent No. 3 in the daily newspaper pointing out that the office of Respondent No. 3 is in the process of private negotiations with the Petitioners, they being the legal heirs of Tukadu Lukdu Bagwan i.e. Petitioner's late father, for acquisition of the subject property and the public at large was invited for the same. The Petitioner's thereafter made representations on 18th August 2023 to the Irrigation Department and to the District Collector Nashik to take necessary steps in respect of the acquisition of the subject property or give compensation in lieu thereof to the Petitioners. The Petitioners also requested that interim compensation amount of Rs. 50, 00,000/- be paid to them until acquisition proceedings are completed.

3.6 On 22nd September 2023, Respondent No. 3 requested Joint Sub-Registrar II to submit tentative valuation report in respect of the subject property on basis of registered documents relating to any adjacent property. Thereafter on 20th November 2023, Respondent No.3 requested Deputy Director of Land record, Malegaon to conduct joint measurement of the subject property. The Petitioner's once again on 23rd February 2024 made a representation to Respondent No. 3 to take necessary steps for acquisition of the subject property under the Act of 2013 and pay all consequential benefits as contemplated under the Act of 2013 along with interest and compensation over and above the value of the subject property for an inordinate delay of 56 years, since 1968. However, till date no acquisition has been made under the provisions of the Act of 2013.

4. It is in the backdrop of these helpless pleas of the Petitioner that we proceed to decide the present petition.

5. Mr. Jagdish Reddy with Ms. Ashwini Jadhav counsel on behalf of the Petitioners have reiterated the contentions made in the Petition and submitted that since the notification issued under the Land Acquisition Act, 1894 was not taken to its logical conclusion, and as such the same has lapsed. Mr. Reddy further submitted that the issue in the present petition stands squarely covered by the Judgment of the Supreme Court in **Sukhdutt Ratra & Anr. Versus State of Himachal Pradesh**¹ and by the decision of this Court in **Sumitra Sudhir Khane V.**

¹(2022)7-SCC-508

Deputy Collector & Others².

6. Dr. Dhruti Kapadia, AGP appears on behalf of the State/Respondent No. 1 to 6 and has reiterated the submissions as made in the affidavits filed on behalf of Respondent Nos. 5 and 6 and the affidavit filed on the earlier occasion on behalf of Respondent No. 3.
7. Affidavit on behalf of Respondent No. 3 which has been filed on 1st October 2025 opposing the present petition and taking the following stand by Respondent No.3 in the said affidavit :-

3. I say and submit that, these Respondents have received proposal for taking possession of private land by direct negotiation which is required for acquisition for minor percolation tank (Kulthe-Palasdare) situated at Mauje Palasdare, Taluka Malegaon, District Nashik vide letter no. Bhusampadan/Kaksh/10/ 3/Kavi/209/2023, dated 21-02-2023 from the office of Co-ordinating Officer (Land Acquisition) Office of District Collector, Nashik. These Respondents are authorized to scrutinize and verify the proposal as per the Government Resolutions and then submit the same to Hon'ble District Collector, Nashik for sanction and quantifying the rates thereof.

4. I say and submit that accordingly, in this matter public notice is issued in local newspaper by these Respondents on 24-05-2023 with respect to the land likely to be acquired which is situated at Mauje Palasdare, Taluka Malegaon bearing gat no. 58 and 59. Likewise, market value of the said land for the year 2023-24 is also obtained from the Deputy Registrar, Malegaon, Dist. Nashik. Copy of Notice dated 24-5-2023 and letter to Deputy Registrar, Malegaon regarding market value for the year 2023-24 are hereto annexed and marked as Exhibit R-1 and Exhibit R-2 respectively for kind perusal of this Hon'ble High Court.

5. I say and submit that in this matter these Respondents has held a meetings time to time and requested the Executive Engineer, Dhule Irrigation Department, Dhule and Deputy Superintendent of Land Records office, Malegaon vide following letters for carrying out joint measurement of the said land under the acquisition proposal. However, till date neither measurement are carried out in spite of follow up nor this Respondents has received any joint measurement report.

Correspondences of the communication are as under:

- (i) Letter no. Kavi/Bhusampadan/15/2023 dated 28-06-2023.
- (ii) Letter no.. Kavi/Bhusampadan/751/2023 dated 20-11-2023,
- (iii) Letter no. Kavi/Bhusampadan/49/2024 dated 15-03-2024,
- (iv) Letter no.. Kavi/Bhusampadan/131/2024 dated 27-03-2024.
- (v) Reminder no. Kavi/Bhusampadan/311/2024 dated 11-07-2024,

(vi) Reminder no. Kavi/Bhusampadan/406/2024 dated 21-08-2024,
 (vii) Letter no. Kavi/Bhusampadan/413/2024 dated 28-08-2024,
 (viii) Letter no. Kavi/Bhusampadan/434/2024 dated 10-09-2024,
 (ix) Letter no. Kavi/Bhusampadan/59/2025 dated 28-01-2025,
 (x) Letter no. Kavi/Bhusampadan/60/2025 dated 30-01-2025,
 (xi) Letter no. Kavi/Bhusampadan/256/2025 dated 28-03-2025,
 (xii) Letter no. Kavi/Bhusampadan/398/2025 dated 06-06-2025,
 (xiii) Various meeting held by this office on dated 09-07-2024, 02-08-2024, 27-08-2024, 15-01-2025, 21-01-2025, 07-02-2025, 21-02-2025, 03-04-2025.

Hereto annexed and marked as **Exhibit R-3 Collectively** are the copies of above mentioned letters of communication for kind perusal of this Hon'ble High Court.

6. I say and submit that, there is inaction for submitting measurement fees and documents to the Deputy Superintendent of Land Records office, Malegaon by the Executive Engineer, Dhule, Irrigation Department, Dhule for conducting measurement said land in the Writ Petition.

Despite of issuing numerous letters and reminder's to the Deputy Superintendent of Land Records Office, Malegaon and Executive Engineer, Dhule, Irrigation Department, Dhule for measurement of gat no. 58 and 59 of Mauje Palasdare, Taluka Malegaon, District Nashik, yet no measurement fees are submitting by the office of Executive Engineer, Dhule Irrigation Department, Dhule. Hence, I say and submit that proposal for determination and quantification of market rate as per Government Circular dated 25th January, 2017 and the same could not be submitted for further action to the District Level Committee. I say and submit that these Respondents are willing to proceed positively in favor of the Petitioner, the moment when Irrigation Department will take further action. These Respondents will follow the procedure in law. Copy of Government Circular dated 25-01-2017 are hereto annexed and marked as **Exhibit R-4** for kind perusal of this Hon'ble High Court.

(emphasis supplied)

8. Further Affidavit in reply on behalf of Respondent Nos. 5 and 6 dated 04th October 2025 has been filed wherein the following statements are made on behalf of Respondent Nos. 5 and 6 and the relevant paragraphs are reproduced below :-

4. I say that since the subject property has been taken for construction of dam by the respondent no 5 and 6, the usual process is to submit the acquisition proposal to the Collector/Sub-Divisional Officer /Special Land Acquisition Officer hereinafter referred to as "SLO" in short, Land Acquisition Branch, Nashik. After the proposal received by the Collector/Sub-Divisional Officer/SLO, through the Land Acquisition branch, the concerned department is required to follow the process under the Act for the acquisition of the property and pass the necessary award in

accordance with law. After the award is passed under the Act, the amount of compensation is to be paid by the respondent no 5 and 6 to the Collector/Sub-Divisional Officer / SLO who will ultimately pay the same to the concerned allottee.

5. **25/03/1998**:- Pursuant to the documents annexed to the present petition and the record available with us with regard to the issue in question, I state that vide the communication dtd 25/03/1998 (Ref:- Page no. 36 of the petition), the petitioner's predecessor in title had handed over the physical possession of the subject property on 25/03/1998 to the Executive Engineer Dhule. Irrigation Division, Dhule.

6. **21/10/1999**:- Pursuant the said document at page no 36, the notification/notice u/s 4(1) of the Land Acquisition Act 1894, has been issued on 21/10/1999 bearing proposal no. 49/1998.

7. Therefore, the present respondents appears to have immediately acted upon and issued notice/notification u/s 4(1) of the Act dtd 21/10/1999.

8. Post notice/notification u/s 4(1) of the Act dtd 21/10/1999. I say that the matter has already been assigned & vested to the State Government Land acquisition officer to take further steps in the matter.

9. **22/04/2016**: Vide communication dtd. 22/04/2016 issued by Sub - Divisional Officer, Malegaon to us for the first time thereby directed us to submit the fresh proposal for acquisition of the subject property in proposal no. 49/1998 and to submit the same to the district Collector/Sub-Divisional Officer / SLO, Nashik.

10. **14/05/2016**: I say that on 14/05/2016, (Ref:- page no 44 of the petition) reveals that the measurement / survey of the Land has already been completed and notice u/s. 4 of the Act has been issued.

11. **14-05-2016 & 24-05-2023**:- Since the further steps u/s 6 of the Act & other steps thereof has not been persuaded for acquisition of the subject property, the fresh proposal has been submitted as per New Act to the Land Acquisition Officer, the Collector/Sub-Divisional Officer /SLO Nashik as can be seen from the communication dtd.14-05-2016 & the pursuant thereof the steps have been taken by the State government to acquire the said property as per the New Act 2013 which is evident from the public notice dtd.24-05-2023 (annexed at Page no.60).

12. Therefore, the rest of the steps ought have been taken by the state Government though the Collector/Sub-Divisional Officer /SLO, Nashik wherein it appears to have not been taken by them and which in result delayed the process of acquisition for which these resp.nos.5 & 6 are not responsible.

13. Since, the fresh process under the New Act appears to have been initiated by the Collector/Sub-Divisional Officer/SLO, Nashik in terms of the communication dtd 14/05/2016 (pg no. 44), the respondent no 1 to 4 would make an endeavour to complete the same by following the process

of law. In this view of the matter, nothing would survive in the petition & necessary steps would be taken by the State Government to acquire the subject property as per New Act, 2013 as may be directed by this Hon'ble Court to do the same within time bound program as expeditiously as possible. Hence, the petition is devoid of merits & this Hon'ble Court may kindly dismiss the same.

(emphasis supplied)

9. It therefore appears from the aforesaid affidavits that the Respondents have only now woken up to the fact that the acquisition proceedings in respect of the subject property, were not adopted as per the due process of law either under the Land Acquisition Act, 1894 or under the Act of 2013. In the affidavit filed on behalf of Respondent No. 3, there is only an attempt being made to pass the buck from one Respondent to other without giving any explanation as to why the acquisition was not made and why the compensation was not paid according to provisions of Land Acquisition Act, 1894 and the Act of 2013.

10. Such inaction on the part of the Respondents have deprived the Petitioner of their right to property as guaranteed under Article 300-A of the Constitution of India. It is settled principle of law that right to acquire a person's property under the mandate of law is coupled with the duty to pay compensation as it is an implied duty to pay compensation as expeditiously as possible and delay in payment would be illegal being violative of Article 300A of the Constitution of India. Similarly, taking possession of land without compensation also violates Article 300-A of the Constitution of India as held by the Supreme Court in *State of UP versus Manohar*³.

11. In the facts of the present case it is an undisputed position that the Petitioners subject property has been acquired for the purpose of the said reservoir/dam way back in 1968-1969. As seen from the facts, Acquisition proceedings have time and again been initiated by the Respondents but they have not taken it to its logical conclusion as the law would require. Also the Petitioner has not been granted compensation qua the subject property and the same is now submerged under the reservoir/dam which is already constructed.

³(2005)2-SCC-125

12. As stated aforesaid, Respondents in their affidavits which have been recently filed have taken the position that the State Government way back in 2016 had taken steps to acquire the subject property by issuing a notification under section 4 of the Act of 2013, however on account of inaction on the part of Collector/Sub Divisional Officer/SLAO, they were unable to make the said acquisition. To our mind such blame game between departments is unacceptable, to deviate from the rigours and mandate the law prescribes qua acquisition of private lands. Even though we may accept that a notification under section 4 of the Act of 2013 was issued, yet no further steps were taken in furtherance to carry out the acquisition to its logical end. Also under the 2013 Act in the absence of publication of notification under section 11 within 12 months from the date of appraisal of the Social Impact Assessment Report submitted by the expert group under Section 7, such report shall be deemed to have lapsed and a fresh social impact assessment shall be required to be undertaken. Therefore, the mere issuance of a notification even under section 4 of the Act of 2013 that too in the year 2016 by the State Government for a land whose possession was taken in 1968 is of no consequence as no action in pursuance thereof has been taken causing grave prejudice to the Petitioners.

13. In the facts of the present case, there is a 'continuing cause of action' which enures to the benefit of Petitioners, inasmuch as notifications for acquisition were issued from time to time and representations were made by the Petitioner before the authorities for the acquisition of the subject property and the compensation in lieu thereof.

14. Thus looking at the entirety of the facts of the case and the position in law we have no hesitation in holding that in the present case that the Petitioners have been deprived of their property without the authority of law in violation of the principles of Article 300-A of the Constitution of India.

15. Our view finds support considering the decision of the Supreme Court in **Sukh Dutt Ratra and Anr. Versus State of Himachal Pradesh & Ors. (supra)**, as also the decision of a coordinate Bench of this Court in **Sumitra Shridahar Khane Versus Deputy Collector and others (supra)**, The Court in Sukh Dutt Ratra

(supra) observed thus (relevant paragraphs reproduced) :

“13. While the right to property is no longer a fundamental right, it is pertinent to note that at the time of dispossession of the subject land, this right was still included in Part III of the Constitution. The right against deprivation of property unless in accordance with procedure established by law, continues to be a constitutional right Under Article 300-A.

14. It is the cardinal principle of the Rule of law, that nobody can be deprived of liberty or property without due process, or authorization of law. The recognition of this dates back to the 1700s to the decision of the King's Bench in *Entick v. Carrington* [1765] EWHC (KB) 198 and by this Court in *Wazir Chand v. The State of Himachal Pradesh* MANU/SC/0007/1954 : 1955 (1) SCR 408. Further, in several judgments, this Court has repeatedly held that rather than enjoying a wider bandwidth of lenience, the State often has a higher responsibility in demonstrating that it has acted within the confines of legality, and therefore, not tarnished the basic principle of the Rule of law.

15. When it comes to the subject of private property, this Court has upheld the high threshold of legality that must be met, to dispossess an individual of their property, and even more so when done by the State. In *Bishandas v. State of Punjab* MANU/SC/0348/1961 : 1962 (2) SCR 69 this Court rejected the contention that the Petitioners in the case were trespassers and could be removed by an executive order, and instead concluded that the executive action taken by the State and its officers, was destructive of the basic principle of the Rule of law. This Court, in another case - *State of Uttar Pradesh and Ors. v. Dharmander Prasad Singh and Ors.* MANU/SC/0563/1989 : 1989 (1) SCR 176, held:

A lessor, with the best of title, has no right to resume possession extrajudicially by use of force, from a lessee, even after the expiry or earlier termination of the lease by forfeiture or otherwise. The use of the expression 're-entry' in the lease-deed does not authorise extra-judicial methods to resume possession. Under law, the possession of a lessee, even after the expiry or its earlier termination is juridical possession and forcible dispossession is prohibited; a lessee cannot be dispossessed otherwise than in due course of law. In the present case, the fact that the lessor is the State does not place it in any higher or better position. On the contrary, it is under an additional inhibition stemming from the requirement that all actions of Government and Governmental authorities should have a 'legal pedigree'.

16. Given the important protection extended to an individual vis-à-vis their private property (embodied earlier in Article 31, and now as a constitutional right in Article 300-A), and the high threshold the State must meet while acquiring land, the question remains-can the State, merely on the ground of delay and laches, evade its legal responsibility towards those from whom private property has been expropriated? In these facts and circumstances, we

find this conclusion to be unacceptable, and warranting intervention on the grounds of equity and fairness.

17. When seen holistically, it is apparent that the State's actions, or lack thereof, have in fact compounded the injustice meted out to the Appellants and compelled them to approach this Court, albeit belatedly. The initiation of acquisition proceedings initially in the 1990s occurred only at the behest of the High Court. Even after such judicial intervention, the State continued to only extend the benefit of the court's directions to those who specifically approached the courts. The State's lackadaisical conduct is discernible from this action of initiating acquisition proceedings selectively, only in respect to the lands of those writ Petitioners who had approached the court in earlier proceedings, and not other land owners, pursuant to the orders dated 23.04.2007 (in CWP No. 1192/2004) and 20.12.2013 (in CWP No. 1356/2010) respectively. In this manner, at every stage, the State sought to shirk its responsibility of acquiring land required for public use in the manner prescribed by law.

21. Having considered the pleadings filed, this Court finds that the contentions raised by the State, do not inspire confidence and deserve to be rejected. The State has merely averred to the Appellants' alleged verbal consent or the lack of objection, but has not placed any material on record to substantiate this plea. Further, the State was unable to produce any evidence indicating that the land of the Appellants had been taken over or acquired in the manner known to law, or that they had ever paid any compensation. It is pertinent to note that this was the State's position, and subsequent findings of the High Court in 2007 as well, in the other writ proceedings.

22. This Court is also not moved by the State's contention that since the property is not adjoining to that of the Appellants, it disentitles them from claiming benefit on the ground of parity. Despite it not being adjoining (which is admitted in the rejoinder affidavit filed by the Appellants), it is clear that the subject land was acquired for the same reason-construction of the Narag Fagla Road, in 1972-73, and much like the claimants before the reference court, these Appellants too were illegally dispossessed without following due process of law, thus resulting in violation of Article 31 and warranting the High Court's intervention Under Article 226 jurisdiction. In the absence of written consent to voluntarily give up their land, the Appellants were entitled to compensation in terms of law. The need for written consent in matters of land acquisition proceedings, has been noted in fact, by the full court decision of the High Court in Shankar Dass (supra) itself, which is relied upon in the impugned judgment.

25. Concluding that the forcible dispossession of a person of their private property without following due process of law, was violative of both their human right, and constitutional right Under Article 300-A, this Court allowed the appeal. We find that the approach taken by this Court in Vidya Devi (supra) is squarely applicable to the nearly identical facts before us in the present case.

26. In view of the above discussion, in view of this Court's extraordinary jurisdiction Under Article 136 and 142 of the Constitution, the State is hereby directed to treat the subject lands as a deemed acquisition and appropriately disburse compensation to the Appellants in the same terms as the order of the reference court dated 04.10.2005 in Land Ref. Petition No. 10-LAC/4 of 2004 (and consolidated matters). The Respondent State is directed, consequently to ensure that the appropriate Land Acquisition Collector computes the compensation, and disburses it to the Appellants, within four months from today. The Appellants would also be entitled to consequential benefits of solatium, and interest on all sums payable under law w.e.f. 16.10.2001 (i.e. date of issuance of notification Under Section 4 of the Act), till the date of the impugned judgment, i.e. 12.09.2013.

27. For the above reasons, the appeal is allowed and the impugned order of the High Court is hereby set aside. Given the disregard for the Appellants' fundamental rights which has caused them to approach this Court and receive remedy decades after the act of dispossession, we also deem it appropriate to direct the Respondent-State to pay legal costs and expenses of 50,000 to the Appellants. Pending applications, if any, are hereby disposed of.”

16. In **Sumitra Shridhar Khane (supra)** wherein facts were similar to the case in hand, a Division Bench of this Court to which one of us (G.S.Kulkarni, J.) was a member, considering catena of decisions, made the following observations :- (relevant paragraphs reproduced)

“21. In *State of Uttar Pradesh & Ors. Vs. Manohar (supra)*, the Supreme Court was dealing with a case wherein the respondent filed a writ petition before the Allahabad High Court, seeking a writ of mandamus directing the State of Uttar Pradesh to determine compensation for his land (Plot Nos. 3-ka, 4-ka, and 3-kaa) in Village Chakia Bhagwanpur, Azamgarh. The respondent claimed that his land was forcibly taken in 1955 without following due process of law or compensation, and structures were built on it. Despite repeated appeals, no compensation was paid. He supported his claim with a 1991 letter from the Collector, Azamgarh, to the Special Land Acquisition Officer, referencing the issue. The Court held that the appellants failed to provide any evidence showing that the respondent's land was lawfully acquired or compensation ever paid. It was undisputed that the land was later built upon. The Supreme Court criticized the State's stance, which was held to contradict the principles of a welfare state, and urged the State to acknowledge its mistake and promptly compensate the respondent, emphasizing that India is a constitutional democracy. Referring to Article 300A of the Constitution, the respondent's right to just compensation was recognised.

22. In *Tukaram Kana Joshi & Ors. v. Maharashtra Industrial Development*

Corporation & Ors.⁵, the land owned by the predecessors-in-interest of the appellants stood notified under Section 4 of the 1894 Act, for an industrial development project, however, no steps to acquire the land were taken up and in fact the acquisition had lapsed. The predecessors-in-interest of the appellants were illiterate farmers, who were absolutely unaware of their rights and hence were inarticulate to claim them. The farmers were persuaded by the authorities to hand over the actual physical possession of the lands in 1964 itself. However, certain similarly situated persons who were also deprived of their rights in a similar manner were granted compensation in 1966. The authorities realized in 1981 that grave injustice had been done to the appellants. In respect of the land in dispute, a fresh Notification under Section 4 of the 1894 Act was issued in 1981. In 1988, Development Corporation, under the instructions of the Government of Maharashtra handed over possession of the land to CIDCO. A writ petition filed by appellants against the inaction of the respondent authorities was dismissed by the High Court only on the ground of delay, and on non-availability of certain documents. In the appeal before the Supreme Court, it was held that the State must either comply with the procedure laid down for acquisition, or requisition, or under any other permissible statutory mode. The Supreme Court held that the State, especially a welfare State which is governed by the rule of law, cannot arrogate itself to a status beyond the one, that is provided by the Constitution. The following observations of the Supreme Court and the ratio of the decision aptly applies to the facts in hand:-

“12. The State, especially a welfare State which is governed by the rule of law, cannot arrogate itself to a status beyond one that is provided by the Constitution. Our Constitution is an organic and flexible one. Delay and laches is adopted as a mode of discretion to decline exercise of jurisdiction to grant relief. There is another facet. The Court is required to exercise judicial discretion. The said discretion is dependent on facts and circumstances of the cases. Delay and laches is one of the facets to deny exercise of discretion. It is not an absolute impediment. There can be mitigating factors, continuity of cause action, etc. That apart, if the whole thing shocks the judicial conscience, then the Court should exercise the discretion more so, when no third-party interest is involved. Thus analysed, the petition is not hit by the doctrine of delay and laches as the same is not a constitutional limitation, the cause of action is continuous and further the situation certainly shocks judicial conscience.

13. The question of condonation of delay is one of discretion and has to be decided on the basis of the facts of the case at hand, as the same vary from case to case. It will depend upon what the breach of fundamental right and the remedy claimed are and when and how the delay arose. It is not that there is any period of limitation for the courts to exercise their powers under Article 226, nor is it that there can never be a case where the courts cannot interfere in a matter, after the passage of a certain

length of time. There may be a case where the demand for justice is so compelling, that the High Court would be inclined to interfere in spite of delay. Ultimately, it would be a matter within the discretion of the Court and such discretion, must be exercised fairly and justly so as to promote justice and not to defeat it. The validity of the party's defence must be tried upon principles substantially equitable. (Vide P.S. Sadasivaswamy v. State of T.N. [(1975) 1 SCC 152 : 1975 SCC (L&S) 22 : AIR 1974 SC 2271] , State of M.P. v. Nandlal Jaiswal [(1986) 4 SCC 566 : AIR 1987 SC 251] and Tridip Kumar Dingal v. State of W.B. [(2009) 1 SCC 768 : (2009) 2 SCC (L&S) 119])

14. No hard-and-fast rule can be laid down as to when the High Court should refuse to exercise its jurisdiction in favour of a party who moves it after considerable delay and is otherwise guilty of laches. Discretion must be exercised judiciously and reasonably. In the event that the claim made by the applicant is legally sustainable, delay should be condoned. In other words, where circumstances justifying the conduct exist, the illegality which is manifest, cannot be sustained on the sole ground of laches. When substantial justice and technical considerations are pitted against each other, the cause of substantial justice deserves to be preferred, for the other side cannot claim to have a vested right in the injustice being done, because of a non-deliberate delay. The court should not harm innocent parties if their rights have in fact emerged by delay on the part of the petitioners. (Vide Durga Prashad v. Chief Controller of Imports and Exports [(1969) 1 SCC 185 : AIR 1970 SC 769] , Collector (LA) v. Katiji [(1987) 2 SCC 107 : 1989 SCC (Tax) 172 : AIR 1987 SC 1353] , Dehri Rohtas Light Railway Co. Ltd. v. District Board, Bhojpur [(1992) 2 SCC 598 : AIR 1993 SC 802] , Dayal Singh v. Union of India [(2003) 2 SCC 593 : AIR 2003 SC 1140] and Shankara Coop. Housing Society Ltd. v. M. Prabhakar [(2011) 5 SCC 607 : (2011) 3 SCC (Civ) 56 : AIR 2011 SC 2161] .)”

23. The legal position as enunciated by the Supreme Court in Vidya Devi v. State of Himanchal Pradesh & Ors.(supra) would also squarely apply in the facts of the present case. In this decision, the Supreme Court was dealing with the case of the appellant whose land was taken over by the State in 1967-68 for the construction of a major district road, Nadaun-Sujanpur Road, without taking recourse to acquisition proceedings or following due process of law. The appellant, being an illiterate 80 year old widow, from a rural background was unaware of her rights and entitlement in law, who did not initiate any proceedings for compensation of the land compulsorily taken over by the State. The Supreme Court held that the cause of action in the case was a continuing cause of action as the appellant was compulsorily expropriated of her property in the year 1967, without following the due process of law. While allowing the appeal and directing the State to pay compensation along with all statutory benefits, including solatium, interest, etc., the Supreme Court observed as under:

“12.2. The right to property ceased to be a fundamental right by the Constitution (Forty-Fourth Amendment) Act, 1978, however, it continued to be a human right [Tukaram Kana Joshi v. MIDC, (2013) 1 SCC 353 : (2013) 1 SCC (Civ) 491] in a welfare State, and a constitutional right under Article 300-A of the Constitution. Article 300-A provides that no person shall be deprived of his property save by authority of law. The State cannot dispossess a citizen of his property except in accordance with the procedure established by law. The obligation to pay compensation, though not expressly included in Article 300-A, can be inferred in that Article. [K.T. Plantation (P) Ltd. v. State of Karnataka, (2011) 9 SCC 1 : (2011) 4 SCC (Civ) 414]

12.3. To forcibly dispossess a person of his private property, without following due process of law, would be violative of a human right, as also the constitutional right under Article 300-A of the Constitution. Reliance is placed on the judgment in Hindustan Petroleum Corpn. Ltd. v. Darius Shapur Chenai [Hindustan Petroleum Corpn. Ltd. v. Darius Shapur Chenai, (2005) 7 SCC 627] , wherein this Court held that: (SCC p. 634, para 6)

“6. ... Having regard to the provisions contained in Article 300-A of the Constitution, the State in exercise of its power of “*eminent domain*” may interfere with the right of property of a person by acquiring the same but the same must be for a public purpose and reasonable compensation therefor must be paid.”

(emphasis supplied)

12.9. In a democratic polity governed by the rule of law, the State could not have deprived a citizen of their property without the sanction of law. Reliance is placed on the judgment of this Court in Tukaram Kana Joshi v. MIDC [Tukaram Kana Joshi v. MIDC, (2013) 1 SCC 353 : (2013) 1 SCC (Civ) 491] wherein it was held that the State must comply with the procedure for acquisition, requisition, or any other permissible statutory mode. The State being a welfare State governed by the rule of law cannot arrogate to itself a status beyond what is provided by the Constitution.

12.10. This Court in State of Haryana v. Mukesh Kumar [State of Haryana v. Mukesh Kumar, (2011) 10 SCC 404 : (2012) 3 SCC (Civ) 769] held that the right to property is now considered to be not only a constitutional or statutory right, but also a human right. Human rights have been considered in the realm of individual rights such as right to shelter, livelihood, health, employment, etc. Human rights have gained a multi-faceted dimension

12.12. The contention advanced by the State of delay and laches

of the appellant in moving the Court is also liable to be rejected. Delay and laches cannot be raised in a case of a continuing cause of action, or if the circumstances shock the judicial conscience of the Court. Condonation of delay is a matter of judicial discretion, which must be exercised judiciously and reasonably in the facts and circumstances of a case. It will depend upon the breach of fundamental rights, and the remedy claimed, and when and how the delay arose. There is no period of limitation prescribed for the courts to exercise their constitutional jurisdiction to do substantial justice.

13. In the present case, the appellant being an illiterate person, who is a widow coming from a rural area has been deprived of her private property by the State without resorting to the procedure prescribed by law. The appellant has been divested of her right to property without being paid any compensation whatsoever for over half a century. The cause of action in the present case is a continuing one, since the appellant was compulsorily expropriated of her property in 1967 without legal sanction or following due process of law. The present case is one where the demand for justice is so compelling since the State has admitted that the land was taken over without initiating acquisition proceedings, or any procedure known to law. We exercise our extraordinary jurisdiction under Articles 136 and 142 of the Constitution, and direct the State to pay compensation to the appellant.”

(emphasis supplied)

27. We may also refer to a recent decision of the Supreme Court in Kolkata Municipal Corporation and Another vs. Bimal Kumar Shah & Ors.⁸ in which the Court was dealing with a case where the appellant-Municipal Corporation had claimed to have acquired property of respondent no.1 in exercise of powers under Section 352 of the Kolkata Municipal Corporation Act, 1980. A Single Judge and the Division Bench of the High Court concurrently held that there is no such power of compulsory acquisition of immovable property under Section 352 of the said Act. The Supreme Court in such context held that there are seven sub-rights which are foundational components of the law, which are in tune with Article 300A of the Constitution. It was held that the absence of one of these or some of them being breached, the land acquisition would be required to be held illegal. In dealing with the right to restitution or entitlement to the fair compensation, the Court observed thus:-

“28. While it is true that after the 44th Constitutional Amendment [the Constitution (44th Amendment) Act, 1978], the right to property drifted from Part III to Part XII of the Constitution, there continues to be a potent safety net against arbitrary acquisitions, hasty decision-making and unfair redressal mechanisms. Despite its spatial placement, Article 300-A which declares that “no person shall be deprived of his property save by

authority of law” has been characterized both as a constitutional and also a human right. To assume that constitutional protection gets constricted to the mandate of a fair compensation would be a disingenuous reading of the text and, shall we say, offensive to the egalitarian spirit of the Constitution.

29. The constitutional discourse on compulsory acquisitions, has hitherto, rooted itself within the “power of eminent domain”. Even within that articulation, the twin conditions of the acquisition being for a public purpose and subjecting the divestiture to the payment of compensation in lieu of acquisition were mandated. Although not explicitly contained in Article 300-A, these twin requirements have been read in and inferred as necessary conditions for compulsory deprivation to afford protection to the individuals who are being divested of property. A post-colonial reading of the Constitution cannot limit itself to these components alone. The binary reading of the constitutional right to property must give way to more meaningful renditions, where the larger right to property is seen as comprising intersecting sub-rights, each with a distinct character but interconnected to constitute the whole. These sub-rights weave themselves into each other, and as a consequence, State action or the legislation that results in the deprivation of private property must be measured against this constitutional net as a whole, and not just one or many of its strands.

30. What then are these sub-rights or strands of this swadeshi constitutional fabric constituting the right to property? Seven such subrights can be identified, albeit non-exhaustive. These are:

- (i) The duty of the State to inform the person that it intends to acquire his property —the right to notice,
- (ii) The duty of the State to hear objections to the acquisition — the right to be heard,
- (iii) The duty of the State to inform the person of its decision to acquire — the right to a reasoned decision,
- (iv) The duty of the State to demonstrate that the acquisition is for public purpose — the duty to acquire only for public purpose,
- (v) The duty of the State to restitute and rehabilitate — the right of restitution or fair compensation,
- (vi) The duty of the State to conduct the process of acquisition efficiently and within prescribed timelines of the proceedings — the right to an efficient and expeditious process, and (vii) The final conclusion of the proceedings leading to vesting — the right of conclusion.

31. These seven rights are foundational components of a law that is tune with Article 300-A, and the absence of one of these or some of them would render the law susceptible to challenge. The judgment of this Court in *K.T. Plantation (P) Ltd. v. State of Karnataka*, [(2011) 9 SCC 1] declares that the law envisaged under Article 300-A must be in line with the overarching principles of rule of law, and must be just, fair, and reasonable. It is, of course, precedentially sound to describe some of these sub-rights as “procedural”, a nomenclature that often tends to undermine the inherent worth of these safeguards. These seven sub-rights may be procedures, but they do constitute the real content of the right to property under Article 300-A, non-compliance of these will amount to violation of the right, being without the authority of law.

32. These sub-rights of procedure have been synchronously incorporated in laws concerning compulsory acquisition and are also recognised by our constitutional courts while reviewing administrative actions for compulsory acquisition of private property. The following will demonstrate how these seven principles have seamlessly become an integral part of our Union and State statutes concerning acquisition and also the constitutional and administrative law culture that our courts have evolved from time to time.

33. Following are the seven principles:

33.1. The Right to notice

33.1.1. A prior notice informing the bearer of the right that the State intends to deprive them of the right to property is a right in itself; a linear extension of the right to know embedded in Article 19(1)(a). The Constitution does not contemplate acquisition by ambush. The notice to acquire must be clear, cogent and meaningful. Some of the statutes reflect this right.

33.1.2. Section 4 of the Land Acquisition Act, 1894, Section 3(1) of the Requisitioning and Acquisition of Immovable Property Act, 1952, Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and Section 3-A of the National Highways Act, 1956 are examples of such statutory incorporation of the right to notice before initiation of the land acquisition proceedings.

33.1.3. In a large number of decisions, our constitutional courts have independently recognised the right to notice before any process of acquisition is commenced.

33.2. The Right to be heard

33.2.1. Following the right to a meaningful and effective prior

notice of acquisition, is the right of the property-bearer to communicate his objections and concerns to the authority acquiring the property. This right to be heard against the proposed acquisition must be meaningful and not a sham.

33.2.2. Section 5-A of the Land Acquisition Act, 1894, Section 3(1) of the Requisitioning and Acquisition of Immovable Property Act, 1952, Section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and Section 3-C of the National Highways Act, 1956, are some statutory embodiments of this right.

33.2.3. Judicial opinions recognising the importance of this right are far too many to reproduce. Suffice it to say that the enquiry in which a landholder would raise his objection is y ambush. The notice to acquire must be clear, cogent and meaningful. Some of the statutes reflect this right.

33.3. The Right to a reasoned decision

33.3.1. That the authorities have heard and considered the objections is evidenced only through a reasoned order. It is incumbent upon the authority to take an informed decision and communicate the same to the objector.

33.3.2. Section 6 of the Land Acquisition Act, 1894, Section 3(2) of the Requisitioning and Acquisition of Immovable Property Act, 1952, Section 19 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Section 3-D of the National Highways Act, 1956, are the statutory incorporations of this principle.

33.3.3. Highlighting the importance of the declaration of the decision to acquire, the Courts have held that the declaration is mandatory, failing which, the acquisition proceedings will cease to have effect

33.4. The Duty to acquire only for public purpose

33.4.1. That the acquisition must be for a public purpose is inherent and an important fetter on the discretion of the authorities to acquire. This requirement, which conditions the purpose of acquisition must stand to reason with the larger constitutional goals of a welfare State and distributive justice.

33.4.2. Sections 4 and 6 of the Land Acquisition Act, 1894, Sections 3(1) and 7(1) of the Requisitioning and Acquisition of Immovable Property Act, 1952, Sections 2(1), 11(1), 15(1)(b) and

19(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Section 3-A(1) of the National Highways Act, 1956 depict the statutory incorporation of the public purpose requirement of compulsory acquisition.

33.4.3. The decision of compulsory acquisition of land is subject to judicial review and the Court will examine and determine whether the acquisition is related to public purpose. If the Court arrives at a conclusion that there is no public purpose involved in the acquisition, the entire process can be set aside. This Court has time and again reiterated the importance of the underlying objective of acquisition of land by the State to be for a public purpose.

33.5. The Right of restitution or fair compensation

33.5.1. A person's right to hold and enjoy property is an integral part to the constitutional right under Article 300-A. Deprivation or extinguishment of that right is permissible only upon restitution, be it in the form of monetary compensation, rehabilitation or other similar means. Compensation has always been considered to be an integral part of the process of acquisition.

33.5.2. Section 11 of the Land Acquisition Act, 1894, Sections 8 and 9 of the Requisitioning and Acquisition of Immovable Property Act, 1952, Section 23 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and Section 3-G, and Sections 3-H of the National Highways Act, 1956 are the statutory incorporations of the right to reconstitute a person whose land has been compulsorily acquired.

33.5.3. Our courts have not only considered that compensation is necessary, but have also held that a fair and reasonable compensation is the sine qua non for any acquisition process.

33.6. The Right to an efficient and expeditious process

33.6.1. The acquisition process is traumatic for more than one reason. The administrative delays in identifying the land, conducting the enquiry and evaluating the objections, leading to a final declaration, consume time and energy. Further, passing of the award, payment of compensation and taking over the possession are equally time-consuming. It is necessary for the administration to be efficient in concluding the process and within a reasonable time. This obligation must necessarily form part of Article 300-A.

33.6.2. Sections 5-A(1), 6, 11-A and 34 of the Land Acquisition

Act, 1894, Sections 6(1-A) and 9 of the Requisitioning and Acquisition of Immovable Property Act, 1952, Sections 4(2), 7(4), 7(5), 11(5), 14, 15(1), 16(1), 19(2), 25, 38(1), 60(4), 64 and 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Sections 3-C(1), 3-D(3) and 3-E(1) of the National Highways Act, 1956, prescribe for statutory frameworks for the completion of individual steps in the process of acquisition of land within stipulated timelines.

33.6.3. On multiple occasions, upon failure to adhere to the timelines specified in law, the courts have set aside the acquisition proceedings.

33.7 The Right of conclusion

33.7.1. Upon conclusion of process of acquisition and payment of compensation, the State takes possession of the property in normal circumstances. The culmination of an acquisition process is not in the payment of compensation, but also in taking over the actual physical possession of the land. If possession is not taken, acquisition is not complete. With the taking over of actual possession after the normal procedures of acquisition, the private holding is divested and the right, title and interest in the property, along with possession is vested in the State. Without final vesting, the State's, or its beneficiary's right, title and interest in the property is inconclusive and causes lot of difficulties. The obligation to conclude and complete the process of acquisition is also part of Article 300-A.

33.7.2. Section 16 of the Land Acquisition Act, 1894, Sections 4 and 5 of the Requisitioning and Acquisition of Immovable Property Act, 1952, Sections 37 and 38 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and Sections 3-D and 3-E of the National Highways Act, 1956, statutorily recognise this right of the acquirer.

33.7.3. This step of taking over of possession has been a matter of great judicial scrutiny and this Court has endeavoured to construe the relevant provisions in a way which ensures non-arbitrariness in this action of the acquirer. For that matter, after taking over possession, the process of land acquisition concludes with the vesting of the land with the authority concerned. The culmination of an acquisition process by vesting has been a matter of great importance. On this aspect, the courts have given a large number of decisions as to the time, method and manner by which vesting takes place.

34. The seven principles which we have discussed are integral to

the authority of law enabling compulsory acquisition of private property. Union and State statutes have adopted these principles and incorporated them in different forms in the statutes provisioning compulsory acquisition of immovable property. The importance of these principles, independent of the statutory prescription have been recognised by our constitutional courts and they have become part of our administrative law jurisprudence.”

37. Thus, viewed holistically, it becomes evident that the State's actions or inactions have exacerbated the injustice suffered by the petitioner, ultimately forcing her to approach this Court, albeit belatedly. This lackadaisical approach is highlighted by the State's initiation of acquisition proceedings in respect of the petitioner's land, however, in not including the petitioner's land in the award, that too after dispossession of the petitioner without payment of compensation to the petitioner. It is quite astonishing that the State would intend to evade its obligatory duty of paying compensation to the petitioner whose land has been utilised for a public purpose to rehabilitate the project affected persons of Dudhganga Irrigation project. This is certainly not permissible. State cannot deny payment of compensation having dispossessed the petitioner as also taking away petitioner's ownership. The obligation to pay compensation is firmly rooted within the purview of the Constitutional guarantee conferred under Article 300A of the Constitution. It is implied that acquisition of private property can be recognized only on payment of fair compensation as the law would mandate unless the circumstances are otherwise. Failure to provide compensation is negation of Article 300A. Hence, any act by the State to acquire land and property without complying with these principles would be manifestly illegal and unconstitutional. This apart, such breach of the legal and constitutional rights is held to give rise to cause of action which a continuing cause of action. It thus cannot be countenanced that the land of the petitioner when acquired for public purpose, the petitioner can be deprived of the compensation. This is also not a case where the respondents are in a position to point out any material that it is the petitioner who had given up receiving compensation. It is hence a unilateral act on the part of the respondents not to pay the compensation. In this view of the matter, in our opinion, the petitioner has certainly become entitled for payment of the land acquisition compensation.

17. In the light of the aforesaid discussion, in our clear opinion, the Petitioners are entitled to land acquisition compensation; as the law mandates under the 2013 Act. Applying the above principles as espoused in Sukh Datt Ratra(supra) & Sumitra Sudhir Khane(supra), the facts of the present case are squarely covered by the findings of the aforesaid decisions. Hence, the following order :

ORDER

- (i) The land of the Petitioners is deemed to have been acquired. The Petitioners are entitled for disbursement of the compensation for acquisition of their subject property under the 2013 Act;
- (ii) The Respondent Collector (Land Acquisition) is directed to compute the compensation as payable to the Petitioners under the 2013 Act and disburse to the Petitioners, the amount of compensation within a period of four months from today, with all consequential benefits;
- (iii) Writ Petition stands allowed in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)