



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3347 OF 2023

Executive Engineer, Vidarbha Irrigation Development Corporation

Vs.

Deoram Sitaram Samarth and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Ms. I. P. Khisti, Advocate for petitioner.

Mr. P. D. Sharma, Advocate for respondent No.1.

Mr. S. B. Bissa, AGP for respondent Nos.2 and 3/State.

CORAM : ROHIT W. JOSHI, J.

DATE : 05.12.2025.

. The present petition takes exception to award dated 21.07.2022 passed by respondent No.3-Land Acquisition Officer under Section 28-A of the Land Acquisition Act, 1894.

2. The only point that the learned Advocate for the petitioner has canvassed is that the learned Land Acquisition Officer has passed award placing reliance on judgment dated 03.11.2017 passed by the learned Reference Court in Land Acquisition Case No.300 of 2008 although prior to the said judgment, several other decisions are rendered with respect to the same acquisition by the learned reference Court and that the starting point of limitation under Section 28-A should run from the date of the first such judgment and award passed by the Reference Court which is dated 02.04.2016 in LAC No.485 of 2009.

3. The contention canvased by the learned Advocate cannot be accepted in view of law laid down by the Hon'ble Supreme Court in the matter of ***Union of India Vs. Pradeep Kumari***, reported in ***(1995) 2 SCC 736***, wherein it is held that the starting point of limitation under Section 28-A can be computed from the date of any one of the awards made by the learned Reference Court.

4. In view of the above, no case for interference is made out, writ petition is therefore, stands dismissed with no order as to costs.

(ROHIT W. JOSHI, J.)

Tanmay...