



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

WRIT PETITION NO.735 OF 2025

BABA ALIAS BABARAO DHANRAJ ULMALÉ
VERSUS
LAND ACQUISITION OFFICER, NAGPUR AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.D. Khamborkar, Advocate for Petitioner.
Mr. S.V. Narale, AGP for Respondent No.1-State.
Ms. S.V. Dhawas, Advocate for Respondent No.3.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 26th November 2025

PER COURT :-

1. Heard learned Advocate for the petitioner as well as learned Advocate for respondent No.3.

2. The petitioner's challenge is to the order dated 21.10.2024, passed by Civil Judge Senior Division, Saoner, by which the application filed by the petitioner/non-applicant at Exhibit 11, in LAC No.70 of 2023, for disbursing the amount of compensation in his name, is rejected.

3. Learned Advocate for the petitioner submits that the petitioner is entitled for grant of compensation over the constructed area and open land, which is not belonging to respondent Nos.2 and 3. It is submitted that respondent Nos.2 and 3 are the owners of only two plots from the land on which layout is approved and the said land is under acquisition.

4. Perusal of the impugned order shows that the reference court has rejected the application filed by the petitioner for disbursal of compensation by observing that the fact of sale-deed of two plots was not disclosed and an attempt was made to get the entire amount disbursed. As such, contesting issues are raised by the parties and the same are pending for consideration.

5. Having regard to the controversy in question, at this stage, no indulgence is warranted under Article 227 of the Constitution of India, since the reference case is already pending before the reference court. However, considering the nature of controversy, it is in the interest of justice to direct the reference court to decide the reference case expeditiously.

6. Hence, the writ petition is disposed of. The Court of Civil Judge Senior Division, Saoner is directed to expeditiously decide the reference case bearing LAC No.70 of 2023, preferably within a period of three months.

7. Parties are directed to co-operate before the reference court without seeking adjournments for unnecessary reasons. Parties are directed to appear before the reference court on 01st December 2025.

(PRAFULLA S. KHUBALKAR, J.)