



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

Writ Petition No. 3958 of 2024

Nivrutti s/o Shankar Avchar Vs. Collector, Buldhana and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. H.R.Gadhia, Advocate for petitioner.

Mr. Abhijeet Mate, AGP for respondent nos.1 and 2.

Mr. Sachin Mohan Awchar with Advocate Priti R.Jadhav for respondent
no.3.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 13/10/2025.

1. I have heard Mr. Gadhiya, learned counsel for the petitioner and Mr. Mate, learned AGP for the respondent nos.1 and 2.

2. The learned counsel for petitioner would submit that the Deputy Collector (Land Acquisition) & Land Acquisition Officer, Buldhana, vide its order dated 5.6.2024 permitted the parties to withdraw the amount of compensation. Respondent no.3 raised objection dated 15.6.2023 regarding withdrawal of compensation amount. He would further submit that once such objection was raised, the Authority was not supposed to entertain and decide the said issue and a reference under Section 64 under the Right to Fair Compensation, Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ought to have been made.

3. In view thereof, the Deputy Collector, Revenue Authority was not supposed to decide the issue raised in the matter. Therefore, the order passed by the authority below cannot be sustained.

4. In view thereof, order of the Deputy Collector, Revenue is hereby quashed and set aside and directed

to refer the matter to the Competent Authority under Section 64 of the aforesaid Act. The Competent Authority shall decide the reference within a period of six months from today.

5. All points raised in the petition are kept open.

(Siddheshwar S. Thombre, J)

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