



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

WRIT PETITION NO. 4434 OF 2024

Hanumansingh Mahadeosingh Gaherwar

-Vs.-

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr.I.N.Choudhari, Adv.for the petitioner.
Ms Swati Kolhe, AGP.for the respondents-State.
Mrs.U.A.Patil, Adv.for the respondent No.3.

**CORAM : SMT. M. S. JAWALKAR &
PRAVIN S. PATIL, JJ.**

DATE : 13TH AUGUST, 2025

P.C.

The present petition is filed by the petitioner for issuance of appropriate writ or direction, thereby directing the respondents to pay the compensation of 0.30 HR land of Gat No.435 as per the provisions of the Land Acquisition, Act.

2. The land of the petitioner came to be acquired in 2005-2006 for Canal of Dhapewada Lift Irrigation Scheme. On 11/03/2012, award came to be passed in land acquisition proceedings. On 11/05/2012, the respondent No.2 issued notice under section 12(2) of the Land Acquisition Act, 1894. After issuance of notice, the petitioner repeatedly approaching to the office of respondent Nos.3 and 4 and requested to release the

amount of compensation.

3. On 06/03/2023, the respondent No.4 issued letter to the respondent No.3 thereby asked to issue cheque of compensation to the petitioner, wherein it is also mentioned that the petitioner is repeatedly visiting the office and demanding the compensation. As per direction of respondent No.4, the petitioner approached to the respondent No.3 for compensation.

4. The learned AGP placed on record a copy of award dated 11/03/2012 along with pursis dated 13/08/2025. However, it is fairly conceded that the amount was neither deposited in the Court, nor released in favour of the petitioner, though he is entitled to the same.

5. The learned counsel for the petitioner submits that the petitioner may be awarded compensation as per the award and specifically in view of section 34 of the Land Acquisition Act, it may be awarded with interest.

6. After perusal of section 34 of the Land Acquisition Act, there is statutory interest, which required to be paid by the respondent-Authority on delayed payment. As such, if there is nothing on record to show that the amount of compensation was deposited in the Court or paid to the petitioner, it is necessary to direct the respondents-Authorities to pay the amount of compensation along with statutory interest as per section 34 of the Land Acquisition Act. The respondent-Acquiring Body has already deposited the amount of compensation with the respondent No.2-Collector. Accordingly, we pass the following order.

7. The petition is allowed.

8. The respondent No.2 is hereby directed to pay the amount of compensation along with statutory interest as per section 34 of the Land Acquisition Act to the petitioner within a period of four weeks from today.

9. The petition stands disposed of accordingly. No order as to costs.

(PRAVIN S. PATIL, J)

(SMT.M.S.JAWALKAR, J)