



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

WRIT PETITION NO. 6147 OF 2024

1. Ratnakar Sheshrao Gawande,
Aged about 75 years, Occ.: Agriculturist,

2. Snehal Anilrao Gawande,
Aged about 35 years, Occ.: Agriculturist,

3. Chippulal Zanaklal Mohashi,
Aged about 70 years, Occ.: Agriculturist,
All R/o Aampend, Tq. Warud,
Dist. Amravati.

4. Archana Pankaj Ranotkar,
Aged about 45 years, Occ.: Agriculturist,
R/o Ranwadi, Tq. Asthi, Distt. Wardha.

5. Baliram Punjab Adhau
(since deceased)

5(a) Yogesh S/o Baliramji Adhau,
Aged about 50 years, Occ.: Agriculturist,

5(b) Shantabai Baliramji Adhau,
Aged about 70 years, Occ.: Agriculturist,

5(c) Nandkishorji Baliramji Adhau,
Aged about 45 years, Occ.: Agriculturist,

6. Vilas Marotrao Ramde,
Aged about 55years, Occ.: Agriculturist,

7. Sangita Marotrao Ramde,
Aged about 50 years, Occ.: Agriculturist,

8. Anita Marotrao Ramde,
Aged about 45years, Occ.: Agriculturist,
Resp. Nos. 5 to 8 R/o Aampend,
Tq. Warud, Dist. Amravati.

....**PETITIONERS**

...VERSUS...

1. The State of Maharashtra,
Through its Secretary, Ministry of
Public Works Department, Mantralaya,
Mumbai-32.

2. Collector, Amravati,
Office at Camp, Amravati.

**3. Deputy Collector-Cum-Land Acquisition
Officer, Office at Camp, Amravati.**

4. Executive Engineer,
Public Works Department, Amravati.

...**RESPONDENTS**

Shri P.R.Agrawal, Advocate with Ms. Aastha R. Sharma, Advocate
for petitioners.

Shri M.K.Pathan, AGP for respondent(s)/State.

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

DATE : 16/07/2025

JUDGMENT (PER : SMT. M.S. JAWALKAR, J.)

Rule. Rule made returnable forthwith.

2. Heard finally by consent of learned counsel appearing for both the parties.

3. The present petition is filed by the petitioners as their lands are acquired, however, they were not paid compensation. In this petition, the petitioners are praying that, the respondents be directed to initiate acquisition proceedings of lands of the petitioners as per chart shown in para 2 of the petition, which were acquired for construction of Swangi to Aampend Road in Tehsil Warud, District Amravati under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act, 2013 (for short, "Act of 2013") and also be directed to grant all

other statutory benefits in favour of the petitioners as per Act of 2013.

4. The learned AGP for the State has pointed out that, though there were joint measurements, there were some discrepancies and therefore, the Land Acquisition Officer had directed the Executive Engineer, Public Works Department (P.W.D.) to give his report after spot inspection and after considering 7/12 extract. It is also intimated that, as the amount asked to the government, is not received from Public Works Department to the Collector in Jan, 2020 and also the report is not submitted as per direction, therefore, the process was lapsed.

5. The respondent no. 4 has filed additional affidavit in pursuance to the order dated 23/06/2025. The statement is made by the respondent no. 4 in affidavit that, the possession of the said land is already taken on 11/01/2010 by P.W.D. There is already construction on the said land and as such, a

fresh proposal for acquisition of land of the petitioners is being prepared under the Act of 2013.

6. The affidavit filed by the respondent no. 4 is taken as an undertaking to this Court. As there is discrepancy in the earlier joint measurement, the respondents are directed to remeasure the land jointly within three months. Thereafter, the respondent no. 4 to initiate the proceedings of land acquisition under the Act of 2013. The respondents are directed to submit the proposal as early as possible.

7. Accordingly, the petition stands disposed of.

8. Rule is made absolute in above terms.

(PRAVIN S. PATIL, J.)

(SMT. M.S. JAWALKAR, J.)