



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

WRIT PETITION NO. 6967 OF 2024

Sau.Suman Mahadev Waratkar and others

-Vs.-

Union of India and another

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

Ms M.R.Shinde & Mr.Jyoti Damodar, Advs. for the petitioners.
Mr. A.M.Kadukar, AGP for the respondents-State.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 20TH JANUARY, 2025

The petition questions the award dated 09/06/2022 passed by the competent authority in view of the provisions of Section 2(7)(c) of the Railways Act, 1989 read with Schedules I and II of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. The acquisition under the Railways Act is governed by Chapter IV-A of the Railways Act, 1989. Under sub-section (6) of section 20-F thereof, if the amount determined by the Competent Authority under sub-sections (1) or (3) of Section 20-F is not acceptable, the same has to be determined by the Arbitrator to be appointed by the Central Government in the manner prescribed. The claim in the present petition is that while determining the compensation, the provisions of Section 20-D and 20-F are not considered. This is equally a plea, which could be

raised before the Arbitrator under Section 20-F(6). The learned counsel for the petitioners therefore to satisfy the Court in this regard.

2. List the matter on 28/01/2025.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)