



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

WRIT PETITION NO. 7015 OF 2024

(Ramaji S/o Domaji Malode

Vs.

The Deputy Collector (Acquisition) Vidarbha Irrigation Development
Corporation, Nagpur & Anr.)

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. A.D. Girdekar, Advocate for the Petitioner.

Mr. A.S. Fulzele, Addl.GP for the Respondents/State.

CORAM: ALOK ARADHE, CJ. AND
AVINASH G. GHAROTE, J.

DATED : 26th FEBRUARY, 2025

P.C.

1. Heard Mr. Girdekar learned Counsel for the Petitioner and Mr. Fulzele, learned Addl. G.P. for Respondents/State.

2. The Petition claims release of the amount of compensation in respect of the final award dated 18.09.2003 passed in favour of the predecessor-in-title of the Petitioner, namely, Dada Devaji Bhande on the basis of compromise decree dated 19.04.2006 passed in R.C.S. No.65/2003 in which the right of the Petitioner to receive the compensation has been recognized.

3. The land of Survey No.52 and 53, situated at Village Taroli, Tahsil Kuhl District Nagpur was originally owned by Dada Devaji Bhande, who under the sale-deed dated 04.07.1984 had transferred the same to one Smt. Sonabai Wd/o Doma Malode (page 15). As there was discrepancy in the field number in the aforesaid sale-deed and there were certain issues between Dada Devaji Bhande, R.C.S. No.65/2003 came to be filed by him against the legal heirs of Smt. Sonabai Wd/o Doma Malode before the Civil Judge, Junior Division, Kuhl. The same came to be compromised, on account of which a compromise decree was passed by the learned Civil Judge, Junior Division, Kuhl on 19.04.2006 (page 48H), in which vide clause No.1(e), the right of the Petitioner to lands of Survey No.52 and 53 were recognized.

4. In view of the compromise decree dated 19.04.2006 the Petition is **disposed** off by directing the Land Acquisition Officer to decide the claim of the Petitioner in terms of what has been held in the compromise decree dated 19.04.2006 in R.C.S. No.65/2003 within a period of four weeks from today.

5. Pending application/s, if any, shall stand disposed of accordingly.

(AVINASH G. GHAROTE, J.)

(CHIEF JUSTICE)