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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO. 1073 OF 2026

Chandrakant Maruti Shinde And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

.....

Mr. Rajendra K. Temkar, Advocate for Petitioners

Mr. S.K. Tambe, Addl. G.P. for Respondents No.1 to 3

.....

CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 05 FEBRUARY, 2026

PER COURT :-

1. Leave to correct.

2. The present petition has been filed for following relief:

“B. The respondents may please be directed to pay the rental compensation to the petitioners from the date of taking over possession i.e. 09.07.1997 till the date of payment of SLAO award Act on the total market value of the acquired land of the petitioners at the rate of 8% p.a. and thereafter, at the rate of 6% p.a. on the delayed payment of total rental compensation arrived, by issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus.

C. The respondents may please directed to forthwith decide & consider the representations dated 09.09.2024 made by the petitioners and pay them the amount of rental compensation in respect of the land bearing Gat No. 12 admeasuring 1 H. 27 R. situated at Dokewadi, Tq. Shrigonda, Dist. Ahmednagar in view of the Government Resolutions dated 01.12.1972 & subsequent Government Resolution dated 02.04.1979, by issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus.”

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3. Learned advocate for the petitioners submits that, though the reliefs have been sought, the petitioners had made representations to all the authorities on 09.09.2024, and if directions are given to respondent No.2 to decide the same, the purpose of the petitioners would suffice.

4. Learned Addl. G.P waives service on behalf of respondents No.1 to 3 and submits that the representation dated 09.09.2024 was not addressed directly to respondent No.2 and was not specific, which might be the reason it has not been decided. We will not indulge in technicalities. It can be seen that the petitioners are residents of a remote village and may not have knowledge of the intricacies regarding to whom or in what manner the representation is required to be made. The facts in the file before respondent No.2 would be clear, and therefore, respondent No.2 ought to have proceeded with taking action on the representation. It can be seen that the copy of the representation dated 09.09.2024 was given on the same date to the office of respondent No.2.

5. Be that as it may, we direct the petitioners to submit a complete proposal to the office of respondent No.2 directly, within a period of fifteen (15) days from today. On receipt of the said proposal, respondent No.2 shall decide the same within a period of two (2) months thereafter.

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6. In furtherance of the decision by respondents No.2 and 3, as the case may be, if the petitioners are declared entitled to receive the amount of rental compensation, the said amount as determined by respondents No.2 and 3 shall be paid to petitioners by respondent No.4 as expeditiously as possible, preferably within a period of four months from such decision.

7. With the aforesaid directions, writ petition stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane