



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 WRIT PETITION NO. 1384 OF 2026

Zumbar Raghu Kale Died Thr Lrs Raju Zumbar Kale And Others
VERSUS

The State Of Maharashtra Through The Secretary And Others

Mr. Parag Barde h/f Mr. R.K. Temkar, Advocate for the Petitioners

Mr. S.B. Narwade, AGP for Respondents/State

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 06 FEBRUARY 2026

ORDER : [Per Hiten S. Venegavkar, J.]

1. Present Petitioners are the land owners and possession of their lands has been taken by the respondents/authorities on 17.07.1997, without following any process of land acquisition and without payment of compensation to the petitioners.

2. Petitioners have earlier filed Writ Petition No. 9551 of 2024, which came to be dismissed on 04.09.2024 with the specific observations that the proceedings which were to be initiated by the respondents/authorities are at elementary stage and there was no sale deeds, which were executed between the petitioners and respondents/authorities. In this fact of the matter, petitioners were given liberty that in case authorities want to register the sale deed then they

can participate in the sale or they will also have a right to refuse to enter into private negotiations. If the Authorities desire to resort to compulsory acquisition, rights of the petitioners were protected under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Subsequent to this order, petitioners have preferred Review Application No. 30 of 2025 in Writ Petition No. 9551 of 2025, which came to be withdrawn on 25.09.2025 with liberty to file fresh writ petition.

3. The petition preferred today is somewhat for the identical reliefs of Writ Petition No. 9551 of 2024 and no subsequent cause of action has been brought on record by the petitioners for filing of the present petition. When the aforesaid fact was brought to the notice of petitioners' advocate, petitioners' advocate submits that petitioners may be given liberty to approach the Authorities by way of making fresh application/representation to proceed with the acquisition proceedings. Said application will be filed within a period two weeks from today.

4. In this background, present petition is disposed of with the statement of petitioners that petitioners will prefer an application/representation to the respondents/Authorities within a period of two weeks from today. In case, any such representation is filed by the petitioners, Respondent No. 2 and 3 to take appropriate decision on the

said representation, in accordance with law, within a period of six weeks from the date of representation.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

Bhagyawant Punde