



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 1777 OF 2026

Maruti Limbaji Gochade And Others

VERSUS

The State Of Maharashtra And Others

...

Mr. Shashikant E. Shekade - Advocate for the Petitioners

Mr. A. M. Phule - AGP for the State

...

AND

933 WRIT PETITION NO. 2853 OF 2026

Vyankati Harichandra Munde

VERSUS

The State Of Maharashtra Through The Secretary And Others

...

Mr. Shashikant E. Shekade - Advocate for the Petitioners

Mr. S. K. Tambe - AGP for the State

...

CORAM : SMT. VIBHA KANKANWADI

AND

NEERAJ P. DHOTE, JJ.

DATED : 18TH APRIL, 2026

PER COURT : -

1. Heard the learned Advocate for the Petitioners in both matters and the learned AGPs appearing for the respective respondents.

2. The learned AGPs pointed out that the Petitioners have already approached the Competent Authority under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the

“Act of 2013”), seeking relief similar to that prayed for in the present petitions. The said applications were filed on 12.11.2025, however, this fact has been suppressed in the present petitions.

3. The learned Advocate for the Petitioners placed on record copies of the *pursis* filed on 20.02.2026 in the said Petitions/References under Section 64 of the Act of 2013, stating that since they have approached this Court by way of the present writ petitions, they are not pressing the prayer made therein regarding interest payable under Section 80 of the Act of 2013.

4. In the present case, it is to be noted that writ jurisdiction is discretionary, and the Petitioners ought to have approached this Court with clean hands. There is no disclosure regarding the Petitions/References under Section 64 of the Act of 2013 in the present petitions, which were filed on 07.01.2026 and 16.02.2026, respectively. It appears that the action of filing of the *pursis* is an afterthought. Further, as the Petitions/References under Section 64 of the Act of 2013 will continue for other reliefs, it would be appropriate for the Petitioners to pursue prayer clause ‘5’ in respect of interest payable under Section 80 of the Act of 2013, before the Competent Authority. We also observe that withdrawal of the present petitions will not affect the rights of the Petitioners, which can be said to have crystallized in view of the interpretation of Section 80 of the Act of 2013.

5. Upon expressing disinclination to proceed with the matters, the learned Advocate for the Petitioners seeks permission to withdraw the petitions with liberty to pursue the said petitions/references under Section 64 of the Act of 2013.

6. The writ petitions are disposed of, with liberty to the Petitioners to pursue prayer clause '5' in the references/petitions filed under Section 64 of the Act of 2013, in respect of interest payable under Section 80 of the Act of 2013, before the Competent Authority. In other words, the Competent Authority shall not act upon the *pursis* filed on 20.02.2026 and shall proceed with the original petitions/references filed under Section 64 of the Act of 2013, and dispose of the same as expeditiously as possible.

[NEERAJ P. DHOTE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE