



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

50 WRIT PETITION NO.2856 OF 2026

Vitthal Bhairu Bangar And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

...

Mr. Shashikant E. Shekade, Advocate for the Petitioners.

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

...

**CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATE : 20 APRIL 2026

ORDER :

. Heard learned Advocate for the Petitioners and the learned AGP appearing for respondents/State.

2. Learned AGP produces on record the order dated 10.04.2026 issued by Respondent No.3. It is 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

petition. The said application was filed on 12.03.2024, however, this fact has been suppressed in the present petition.

3. At the outset, it is to be noted that the writ jurisdiction is discretionary, and the Petitioners ought to have approached this Court with clean hands. There is no disclosure regarding the Petition/Reference under Section 64 of the Act of 2013, which was filed on 12.03.2024, in the present petition. Since the said Petition/Reference under Section 64 of the Act of 2013 will continue for other reliefs, it would be appropriate for the Petitioners to pursue their prayer with respect to interest payable under Section 80 of the Act of 2013 before the Competent Authority. We also observe that withdrawal of the present petition will not affect the rights of the Petitioners, which may 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 matter, the learned Advocate for the Petitioners seeks permission to withdraw the petition with liberty to pursue the said petition/reference under Section 64 of the Act of 2013.

6. The writ petition stands disposed of as withdrawn, with liberty to the Petitioners to pursue the prayer clause in the reference/petition filed under Section 64 of the Act of 2013, in respect of interest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 proceed with the original reference/petition filed under Section 64 of the Act of 2013 and dispose of the same as expeditiously as possible.

[AJIT B. KADETHANKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm