



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 3053 OF 2026

SUNDARRAO SAKHARAM PARSE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Krishna Salunke, Advocate for the Petitioner

Mr. S. K. Tambe, Additional GP for Respondent Nos.1 to 5

...

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

DATE : 21.04.2026

PER COURT :-

. The present petitioner has filed this petition for quashing and setting aside the award passed by the respondent on 21.08.2025.

2. Learned AGP waives notice for respondent Nos.1 to 5. There is no necessity to issue notice to the other respondents. It appears that an award came to be passed on 21.08.2025 by the Competent Authority under Section 23 to 30 of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*, wherein the land in dispute was also involved. It appears that there was a suit i.e. R.C.S. No.181 of 2015, before 2nd Joint Civil Judge Junior Division, Majalgaon, District Beed, which was decided on 15.01.2021 and therefore, now the petitioner has also prayed that respondent No.3 should consider the maps placed on record by considering the petitioner as the owner of total land admeasuring 0.96 R and further prays for passing an award in respect of remaining land admeasuring

0.19 R in Gat No.435 situated at village Manjarath, Taluka Majalgaon, District Beed. Alternate prayer is also made.

3. It can be stated that the Land Acquisition Act of 2013 is a code in itself and provisions have been made for reference mechanism to challenge the award and therefore, the petitioner has to adopt the mechanism provided under the said Act. Section 64 provides for reference to the Authority and Section 77 (2) of the Act makes a provision or confers the right to the person where there is any dispute as to the title to receive the compensation or as to the apportionment of it. Again the amount has to be deposited by the Collector with the reference authority. Therefore, there is equal efficacious remedy available to the petitioner.

4. In view of this legal position, learned Advocate for the petitioner seeks withdrawal of the petition to approach before the appropriate authority.

5. The writ petition stands disposed of as withdrawn, with liberty to the petitioner to approach the appropriate authority and the appropriate authority should consider the pendency of the present petition before this Court, if at all the point of limitation arises.

(AJIT B. KADETHANKAR, J.)

(SMT. VIBHA KANKANWADI, J.)