

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3958 OF 2026**

Ravi Prabhudas Mahbubani and others ... Petitioners
vs.
The State of Maharashtra and others ... Respondents

Mr. Dormaan J. Dalal a/w. Ms. Shirley Mody for petitioners.

Ms. M. S. Bane, AGP for respondents – State authorities.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ**

DATE : 30th MARCH, 2026

P.C. :

. Heard learned counsel for the petitioners.

2. The limited grievance of the petitioners is that despite they having submitted all the necessary documents before the respondent No.2-Sub-Divisional Officer (SDO) for disbursement of compensation amount, as per award dated 03.09.2025, the amount is not being disbursed in their bank accounts, as the said respondent is insisting on personal presence of all the four petitioners. It is submitted that section 77 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act of 2013), pertains to the manner in which the compensation is to be paid to the claimants. It specifies that such amounts shall be deposited in the bank accounts of the claimants. According to the petitioners, the statutory provision does not require their personal presence, so long as they satisfy the concerned authority about their identity as also the other documents that the authority may demand.

3. It is further submitted that the documents annexed to the petition show that the petitioners have already submitted all necessary documents, as specified in the notices issued by the said respondent.

4. It is submitted that in such a situation, this Court may consider allowing the present petition, so that the amounts can be disbursed by the said respondent in the respective bank accounts of the petitioners. It is further brought to the notice of this Court that the said amounts would be received by the petitioners under protest, as they have already initiated reference proceedings before the competent authority, under the provisions of the Act of 2013 read with Section 34 of the Maharashtra Industrial Development Act, 1961, for enhancement of compensation.

5. The learned AGP appears for respondent Nos.1 to 3. We find that in the light of the limited relief sought by the petitioners, respondent No.4 – Maharashtra Industrial Development Corporation is a formal party and hence, service of notice upon respondent No.4 is dispensed with.

6. The learned AGP seeks time to take instructions in the matter and highlights the documents required to be submitted by the petitioners, as per the notices served upon by them at Exhibit B.

7. We find that the writ petition can be disposed of by issuing appropriate directions, particularly in the light of the assertion made by the petitioners that they have already submitted necessary documents, as per the notices issued by the respondent No.2-SDO. In that context, we find that the copies of letters submitted by the

petitioners to the said respondent, are on record, which indeed show that there does not appear to be any *inter se* dispute between the petitioners with regard to the amount of compensation to be deposited in their respective bank accounts.

8. Section 77 of the Act of 2013 specifies the mode of depositing amount of compensation. It clearly states that in terms of the award, the amount shall be deposited in the bank accounts of the claimants. The documents on record clearly show that the details of bank accounts of the petitioners, have been furnished to the respondent No.2. Evidently, there is no *inter se* dispute between the petitioners. As per the letters submitted by the petitioners before the said respondent, the documents demanded by the said officer, appear to have been submitted along with the letters. In such a situation, insistence on personal presence of all the petitioners does not appear to be justified.

9. There can be no doubt about the fact that the respondent No.2 would be entitled to satisfy himself about the identity of the petitioners. The same can be verified on the basis of the documents submitted by them. We do find specific statements made in the petition, as regards the difficulties faced by petitioner Nos.1 and 4, as they are senior citizens facing health issues. In such a situation, even if one of the petitioners remains present before the respondent No.2, the disbursal of the amount of compensation can be facilitated.

10. In view of the above, the writ petition is disposed of by directing that the petitioner No.2 shall remain present before the respondent No.2-SDO on 06.04.2026 at 11:00 a.m. Although it is specifically stated that necessary documents pertaining to all the

petitioners have already been submitted before the respondent No.2, an additional set of the same shall be submitted by petitioner No.2 to the said respondent, on behalf of all the petitioners. The said respondent shall verify the documents on the same day and within one week thereafter, deposit the amount of compensation, as per the share of the four petitioners, in their respective bank accounts, details of which have been already submitted to the said respondent.

11. It is made clear that the petitioners would be accepting the deposit of such amounts under protest and subject to the result of the reference proceedings initiated on their behalf.

12. This order is passed taking into consideration the age of the petitioners.

13. The writ petition is disposed of. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J)

(MANISH PITALE, J.)