IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 5477 OF 2024

Atmaram Nathhuji Gadade,
Aged about 40 years, Occu. Cultivator
R/o Bibi, Tq. Pusad, Dist. Yavatmal

....PETITIONER

...V E R S U S...

1. The State of Maharashtra,
Through Collector, Yavatmal
District Yavatmal.

2. Sub Divisional Officer/Land
Acquisition Officer, Pusad,
Tq. Pusad, District Yavatmal.

3. Deputy Chief Engineer
(Construction), Central Railway,
Devali Naka, Tq. Wardha,
Dist. Wardha.

...RESPONDENTS

Mr. Vikky S. Gokhale and Mr. R.J. Shinde, Advocates for the petitioner.
Ms. D. V. Sapkal, A.G.P. for respondent no.1 and 2/State.
Mr. V. M. Gadkari, Advocate for respondent no.3

CORAM:- M.W. CHANDWANI, J.
DATE :- FEBRUARY 11, 2026

ORAL JUDGMENT:

1. Rule. Rule made returnable forthwith. Heard finally with the consent of both the parties.

2. The petition challenges the order dated 11.03.2024

passed by the Presiding Officer, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur in Case No.216/AMT/ YTL/2018.

3. It appears that the Reference filed by the petitioner for the determination and enhancement of compensation amount was dismissed by the Reference Court by the impugned order for non-filing of the evidence by the petitioner whose land was acquired by the Land Acquisition Officer.

4. It is brought to the notice of this Court that the present petition is squarely covered by a similar judgment passed in **Writ Petition No.7484/2024** ***(Gangaram Narayanrao Tayade (dead) through his L.Rs. and others Vs. The State of Maharashtra and another)*** dated 30.01.2026. Thus, it appears that the issue involved in the present petition is similar to the one discussed in the above petition. Hence, the present petition deserves to be disposed of in terms of above writ petition.

5. So far as, the delay in approaching the Court is concerned, learned counsel for the petitioner at this stage made a submission that the petitioner would not claim any interest on the enhanced amount from the date of framing of issue by the Reference Court till the date of restoration of the Reference, if it is granted. This undertaking will take care of the interest of the respondents in that

regard. Therefore, the following order is passed:

i) The Writ Petition is allowed.

ii) The impugned order dated 11.03.2024 passed by the Presiding Officer, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur in Case No.216/AMT/ YTL/2018 is hereby quashed and set aside.

iii) Case No.216/AMT/ YTL/2018 is restored to file. The parties are directed to appear before the Presiding Officer, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur on 23.02.2026.

iv) The Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur is directed to dispose of the Reference on the basis of merit as expeditiously as possible and preferably within a period of six months from the date of appearance of the parties.

v) Needless to mention that if the petitioner succeeds in getting enhanced amount of compensation, he would not be entitled to get the interest on the amount of compensation and solatium from the date of framing of issue till 23.02.2026.

Rule accordingly.

(M.W. CHANDWANI, J.)

Diwale

Signed by: DIWALE
Designation: PS To Honourable Judge
Date: 13/02/2026 20:43:26