



02-2017

1

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

WRIT PETITION NO. 502 OF 2017

(Prabhakar Panjabrao Lohkare Vs. Union of India & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A.R. Ingole, Counsel for the petitioner.
Ms M.R. Chandurkar, Counsel for respondent no.1.
Mr. M.J. Khan, A.G.P for respondent nos. 2 and 4/State.
Mr. D.M. Kale, Counsel for respondent no.3.

.....

CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
MARCH 18, 2026

CIVIL APPLICATION NOS. 436/2026 AND 437/2026

For the reasons set out in the application (CAW No. 436/2026), the application is allowed. Delay of 780 days in filing the application for bringing legal representatives of petitioner on record, is condoned.

2] The legal representatives of the petitioner shall be brought on record today itself.

3] The applications are disposed of.

WRIT PETITION NO. 502/2017

4] Heard.

5] The petitioners are seeking compensation in pursuance to the Guidelines dated 15/10/2015 issued by respondent no.1. They are further seeking modification to the order dated 18/10/2016 passed by respondent no.4 – Collector.

6] The petitioners' land, admeasuring 5000 square feet, was affected by a transmission tower erected

by respondent no.3. Compensation was paid. According to the petitioners, the compensation, as paid, was inadequate, particularly, in the light of subsequent developments, where, height of tower was increased, which resulted into covering additional area of the land.

7] Respondent no.4 – Collector, in his reply, stated that the additional compensation was evaluated, for land admeasuring 88.2575 square meter, at Rs.45,893.90/-. According to him, once the compensation was quantified, it was the responsibility of respondent no.3 to pay the amount.

8] The Counsel for respondent no.3 submits that the cheque for the aforesaid amount was dispatched to the original petitioner through Registered Post Acknowledgment Due on 25/1/2017. He seeks time to take instructions as to the subsequent developments as to whether the cheque was encashed or not. The petitioners' Counsel also seeks time to take instructions on this point.

9] Thus, it appears that necessary formalities were completed, and an attempt was made to pay the amount. These facts are neither disclosed by the petitioners nor by respondent no.3. The Counsels shall take instructions, and make submissions.

10] List on 30/3/2026.

(JUDGE)

(JUDGE)

Sumit