

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3850 OF 2024
WITH
WRIT PETITION NO. 3851 OF 2024
WITH
WRIT PETITION NO. 3852 OF 2024
WITH
WRIT PETITION NO. 3853 OF 2024
WITH
WRIT PETITION NO. 3854 OF 2024

City & Industrial Development Corporation of
Maharashtra Ltd .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

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- Mr. G.S. Hegde, Sr. Advocate i/by Ms. P.M. Bhansali for Petitioner – CIDCO in all Writ Petitions
- Mr. Y.D. Patil, AGP for State in all Writ Petitions
- Mr. Sachin Punde for Respondents in WP/3851/2024 to WP/3853/2024
- Mr. G.S. Godbole, Sr. Advocate a/w Mr. R.S. Datar i/by Ms. Dhruiti R. Datar for Respondent No. 3.2

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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 26, 2024

P. C.:

1. Heard learned Advocates appearing for the parties.
2. Private Respondents appearing before me in these Petitions are the original owners and claimants of the lands which were acquired as far back as in the year 1990. Acquisition has been completed and the compensation amounts have been paid to the claimants. Enhanced

compensation determined by the Reference Court stands deposited in the Court by following the due process of law. Reference proceedings also stand determined. There is no further challenge to the Reference Award and enhancement which has been granted.

3. As delineated by this Court in its order dated 08.05.2024, claim for enhanced compensation which has been determined by the Reference Court is yet to be disbursed over to the Claimants i.e. the private Respondents before me. However, in the year 2023, a challenge is maintained by Petitioner - CIDCO to the entire acquisition proceedings itself. This Petition filed in 2023 is pending before the Division Bench. I am also informed by the learned Advocates that copy of the order dated 08.05.2024 was placed before the earlier Division bench prior to vacation. Hence at the request made by learned Advocates for private Respondents, I am permitting the parties to place the copy of order dated 08.05.2024 as also this order before the present Division Bench for appropriate consideration.

4. Joint oral request is made by learned Advocates that in order to redress the grievances of the parties, this Court should direct the Petitioner - CIDCO to bring the enhanced compensation amount and deposit the same in this Court so that the parties may seek withdrawal and it may enure and give some relief to them. This application is made orally across the bar before me today. If an appropriate

Application is filed, it shall be undoubtedly considered by this Court on its own merits.

5. Stand over to **10th July, 2024**. To be placed under the caption **“First on Board”**.

Amberkar

[MILIND N. JADHAV, J.]

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By RAVINDRA
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