



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9848 OF 2014

Smt. Anandibai Yashwant Patil .. Petitioner

V/S.

Special Land Acquisition Officer and .. Respondent
Ors.

Mr. Suyash Sule, for petitioner.

Mr. P.P. Kakade, Addl. G.P. with M.S. Bane, AGP, for the State/Respondent
Nos. 1 to 3.

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

DATE : 17TH APRIL 2026.

PC:

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1. This petition was adjourned *sine die* by an order dated 27/03/2018 in the light of the issue pertaining to the lapsing of acquisition under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, remaining pending before the Supreme Court for consideration by a larger Bench.

2. Thereafter, the Constitution Bench of the Supreme Court decided the question in its judgment in the case of '**Indore Development Authority Vs. Monoharlal and Ors**'¹. The law was clarified to state that the lapsing of acquisition under Section 24(2) of the Act of 2013 would take place only if both the conditions were satisfied i.e. possession not being taken and the compensation not having been paid or deposited by the State Authorities.

3. In the present case, as per the reply affidavit on record, it is evident

1 (2020) 8 SCC 129



that the amount of compensation was deposited in the treasury by the State Authorities, thereby indicating that one of the conditions was satisfied and hence, this cannot be a case of lapsing of acquisition.

4. In view of the above, the Writ Petition is dismissed.
5. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)