



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

956 WRIT PETITION NO. 12495 OF 2021

Dharma Gobara Rathod And Others
VERSUS
The State Of Maharashtra And Others

...

Mr. Prakashsing B. Patil, Advocate for the Petitioner
Mr. S. J. Salgare, AGP for Respondents/State

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CORAM : KISHORE C. SANT AND
ABASAHEB D. SHINDE, JJ.

DATED : NOVEMBER 27, 2025

P.C.:

1. This petition is for direction to the Respondents to start /commence land acquisition proceedings and to pay compensation as per law.
2. The affidavit in reply is already filed by Respondent-Learned Sub Divisional Officer, Partur, Taluka Partur Dist. Jalna, dated 14.09.2022. Paragraphs 7 and 8 of the said Affidavit in Reply read as under :-

“7. I, say and submit that, Respondent No.6 Sub Divisional Officer and Land Acquisition Officer Partur has given the detail letter to the District water conservation officer, Jalna and Dy. Superintendent Land record Mantha Dist. Jalna on 7.3.2022 mentioning therein that, the New land acquisition Act 2013, Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 has come into force, hence fresh joint measurement be made of acquisition land and after that, forward fresh land acquisition proposal to Respondent No. 6. But no fresh land acquisition proposal is received from the respondent No.7.

8. I, say and submit that after receipt of fresh Land Acquisition Proposal of Gut No.63/5 admeasuring 0 H.74 R. 0 H.90 R and Gut No.8/a/4 admeasuring 0 H. 52 R from Respondent No.7, the respondent No.6 will start the Land Acquisition proceeding as per the New land acquisition Act 2013, Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and complete the land acquisition proceeding as per rule and compensation amount shall be paid to the land owner.”

3. The acquiring body has also filed Affidavit in Reply dated 18.04.2023. Paragraphs 6 and 7 of the same read as under :-

“6. I say and submit that, section 4 notification came to be published on 08.07.2010 however there was no further process was taken place. I say and submit that, the Sub Divisional Officer issued a communication dated 07.03.2022 and asked for fresh proposal as per the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 after having fresh joint measurement report. I say and submit that, the fresh proposal was submitted on 21.06.2022 to the learned Collector, Jalna. I say and submit that, on 21.07.2022 the Special Land Acquisition Officer Jalna issued a communication and asked to compliance of the deficiencies in the proposal.

7. I say and submit that, the Joint Measurement was carried out on 17.02.2023 and after conducting the joint measurement report the fresh proposal is prepared and has been forwarded to the office of learned Collector, Jalna on 27.03.2023. I say and submit that, as stated above, the fresh proposal has been forwarded to the office of learned Collector, Jalna on 27.03.2023.”

4. It is thus clear that the parties have accepted that acquisition proceeding needs to be undertaken as per the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

5. Considering the above, learned AGP to take instruction as to within how much period the steps would be taken and the proceeding would be completed. If the proceeding has already started, learned AGP to communicate the status.

6. Stand over to 04.12.2025 in the same category.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]