



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

WRIT PETITION NO. 11760 OF 2021

1] Vasudeo Sonu Patil,  
Age : 65 years, Occu. Agri.,

2] Rajendra Hari Patil,  
Age : 42 years, Occu. Agri.,

Both R/o. Bharadi, Tq. Jamner, Dist. Jalgaon.

...Petitioners

**Versus**

1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA)  
Mantralaya, Mumbai.

2] The District Collector,  
Jalgaon.

3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.

4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....  
Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. S. P. Tiwari - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4  
.....

AND

WRIT PETITION NO. 11748 OF 2021

1] Bapu Sukdeo Bhil,  
Age : 60 years, Occu. Agri.,

2] Bhanudas Dongar Patil,  
Age : 65 years, Occu. Agri.,

Both R/o. Mundkheda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....  
Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mrs. P. P. Gaur - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4  
.....

AND  
**WRIT PETITION NO. 11750 OF 2021**

- 1] Kailas Pundlik Kumawat,  
Age : 57 years, Occu. Agri.,
- 2] Kautik Ganpat Kale,  
Age : 50 years, Occu. Agri.,

Both R/o. Beldarwadi, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,

Jalgaon.

3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.

4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mrs. Vaishali N. Patil-Jadhav - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4

.....

AND

WRIT PETITION NO. 11752 OF 2021

Bhika Pundlik Patil,  
Age : 55 years, Occu. Agri.,  
R/o. Godri, Tq. Jamner,  
Dist. Jalgaon.

...Petitioner

**Versus**

1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.

2] The District Collector,  
Jalgaon.

3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.

4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mrs. Rashmi P. Gaur - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4

.....

AND  
WRIT PETITION NO. 11753 OF 2021

1] Manoj Ganesh Pardeshi,  
Age : 40 years, Occu. Agri.,

2] Kailas Shankar Koli,  
Age : 55 years, Occu. Agri.,

Both R/o. Shendurni, Tq. Jamner,  
Dist. Jalgaon.

...Petitioners

**Versus**

1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.

2] The District Collector,  
Jalgaon.

3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.

4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners

Mr. K. N. Lokhande - AGP for respondent/State

Mr. A. D. Pawar - Advocate for respondent no. 4

.....

AND  
WRIT PETITION NO. 11747 OF 2021

1] Sahebrao Daulatrao Thorat,  
Age : 60 years, Occu. Agri.,  
R/O. Pachora, Tq. Pachora,  
Dist. Jalgaon.

2] Ashok Khandu Badgujar,  
Age : 67 years, Occu. Agri.,  
R/o. Bornar, Tq. Erandol,

Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. K. N. Lokhande - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4

.....

AND

**WRIT PETITION NO. 12767 OF 2021**

- 1] Narayan Kalu Patil  
Age : 77 years, Occu. Agri.,
- 2] Dharma Tryambak Mali,  
Age : 75 years, Occu. Agri.,
- 3] Lilabai Baliram Mali,  
Age : 58 years, Occu. Agri.,
- 4] Raghu Tryambak Mali,  
Age : 87 years, Occu. Agri.,
- 5] Nimba Mahadu Shimpi,  
Age : 65 years, Occu. Agri.,
- 6] Bapu Narayan Patil,  
Age : 62 years, Occu. Agri.,

- 7] Kautik Yadav Patil,  
Age : 90 years, Occu. Agri.,  
Through WILL,  
Prabhakar Kautik Patil,  
Age : 50 years, Occu. Agri.  
All R/o. Patonda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.
- 5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mrs. Rashmi P. Gaur - AGP for respondent/State  
Mr. A. D. Pawar - Advocate for respondent no. 4

.....

AND

**WRIT PETITION NO. 12711 OF 2021**

Kalabai Ramrao Patil,  
Age : 75 years, Occu. Agri.,  
R/o. Patonda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,

through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.

- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.
- 5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

...Respondents

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. P. K. Lakhotiya - AGP for respondent/State  
Mr. P. R. Nangare - Advocate for respondent no. 4

.....

AND

**WRIT PETITION NO. 12749 OF 2021**

- 1] Hemlata Vijay Jagtap,  
Age : 69 years, Occu. Agri.,
- 2] Dnyaneshwar Ramrao Mali,  
Age : 69 years, Occu. Agri.,  
All R/o.: Patonda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,

Minor Irrigation Division,  
Jalgaon.

- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.
- 5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

...Respondents

.....  
Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. P. S. Patil - AGP for respondent/State  
Mr. P. R. Nangare - Advocate for respondent no. 4

.....

AND

**WRIT PETITION NO. 12692 OF 2021**

- 1] Subhash Shankar Patil,  
Age : 72 years, Occu. Agri.,
- 2] Dilip Kisan Patil,  
Age : 53 years, Occu. Agri.,
- 3] Lalitabai Krushnarao Chavan,  
Age : 77 years, Occu. Agri.,
- 4] Baburao Dhodha Patil,  
Age : 57 years, Occu. Agri.,
- 5] Latabai Dharma Patil,  
Age : 66 years, Occu. Agri.,
- 5.1] Jibhau Dharma Patil,  
Age : 57 years, occu. Agril.,
- 5.2] Sandip Dharma Patil,  
Age : 36 years, Occu. Agri.,  
Petitioner nos. 5 and 5.2 through their  
G.P.A. as petitioner No. 5.1
- 6] Atmaram Pundlik Patil,  
Age : 73 years, Occu. Agri.,



7] Ramkrushna Dagdu Shimpi,  
Age : 65 years, Occu. Agri.,

8] Nitin Manohar Shimpi,  
Age : 55 years, Occu. Agri.,

9] Vijayabai Laxman Wani,  
Age : 80 years, Occu. Agri.,

All R/o.: Patonda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.

2] The District Collector,  
Jalgaon.

3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.

4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.

5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

...Respondents

.....  
Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mrs. Rashmi P. Gaur - AGP for respondent/State  
Mr. P. R. Nangare - Advocate for respondent no. 4

.....

AND

**WRIT PETITION NO. 12742 OF 2021**

1] Aadhar Bapurao Patil,  
Age : 55 years, Occu. Agri.,

- 2] Hemlata Dilip Patil,  
Age : 44 years, Occu. Agri.,
- 3] Shantaram Gulab Patil (Died),  
Through legal heirs
- 3-A] Sanjay Shantaram Patil,  
Age : 46 years, Occu. Agri.,
- 3-B] Dilip Shantaram Patil,  
Age : 43 years, Occu. Agri.,
- 3.1] Narsing Gobaji Patil,  
Age : 73 years, Occu. Agri.,
- 3.2] Ramdas Mansing Patil,  
Age : 52 years, Occu. Agri.,
- 4] Parshram Gulab Patil,  
Age : 73 years, Occu. Agri.,
- 5] Shriram Gulab Patil,  
Age : 71 years, Occu. Agri.,
- 6] Suresh Gulab Patil,  
Age : 69 years, occu. Agril.,
- 7] Vasant Gulab Patil,  
Age : 62 years, Occu. Agri.,
- 8] Shamkant Atmaram Patil,  
Age : 65 years, Occu. Agri.,  
All R/o. Mundkheda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.

- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.
- 5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

...Respondents

.....  
Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. S. G. Sangle - AGP for respondent/State  
Mr. P. R. Nangare - Advocate for respondent no. 4

.....

AND  
**WRIT PETITION NO. 12750 OF 2021**

- 1] Shantabai Rajdhar Mali (Died)  
Through Legal Heirs,  
1-A] Subhash Rajdhar Nikumbh (Mali),  
Age : 46 years, Occu. Agri.,  
1-B] Balu Rajdhar Nikumbh (Mali),  
Age : 52 years, Occu. Agri.,  
2] Punja Dhondu Shimpi (Died),  
Through Legal Heirs -  
2-A] Sushilabai Punju Shimpi,  
Age : 70 years, Occu. Agri.,  
2-B] Dipak Punju Shimpi,  
Age : 53 years, Occu. Agri.,  
2-C] Bharat Punju Shimpi,  
Age : 47 years, Occu. Agri.,  
2-D] Anil Punju Shimpi,  
Age : 45 years, Occu. Agri.,  
2-E] Punam Govinda Bhamre,  
Age : 43 years, Occu. Agri.

All R/o. Patonda, Tq. Chalisgaon,  
Dist. Jalgaon.

...Petitioners

**Versus**

- 1] The State of Maharashtra,  
through its Secretary,  
Irrigation Department (JALSAMPADA),  
Mantralaya, Mumbai.
- 2] The District Collector,  
Jalgaon.
- 3] The Special Land Acquisition Officer,  
Minor Irrigation Division,  
Jalgaon.
- 4] The Executive Engineer,  
Minor Irrigation Division, Jalgaon.
- 5] The Executive Director,  
Tapi Irrigation Development Corporation,  
Jalgaon.

**...Respondents**

.....

Mr. Ajeet B. Kale a/w Ms Sakshi A. Kale - Advocates for the petitioners  
Mr. P. S. Patil - AGP for respondent/State  
Mr. P. R. Nangare - Advocate for respondent no. 4

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**CORAM : RAVINDRA V. GHUGE  
AND  
Y. G. KHOBRAGADE, JJ.  
DATED : 07<sup>th</sup> JULY 2023**

**ORAL JUDGMENT [PER RAVINDRA V. GHUGE, J.] : -**

1. **Rule.** Rule made returnable forthwith and heard finally  
with the consent of the parties.

2. These petitions are classic examples of acquiring authorities  
and revenue authorities showing scant respect to the Lok adalat awards

and shockingly enough, having no regard or respect to the precarious financial condition of the petitioner-farmers who have lost their lands and having compromised their rights through the Lok adalat award as long ago as on 17.12.2019. They are yet to be paid their compensation amounts.

3. Considering the admitted position of acquisition of lands for a public project, Lok adalat award and the binding effect of paying compensation to the farmers within six months of the Lok adalat award, we are not required to enlarge the size of this judgment by referring to minute details involved in these cases. Suffice it to say that, the State of Maharashtra issued a Government Resolution dated 26.07.2021, after noticing the above facts as having assumed the character of a common phenomenon, by which the acquiring authority is directed to shoulder the responsibility of ensuring that the funds are asked for and are collected for making the payment of compensation amounts. It would be apposite to reproduce the salient features of the said GR at clauses 1 to 7 as under : -

- "1) संबंधित जिल्हाधिकारी कार्यालयाने संबंधित प्रकरणाशी निगडित संपादक संस्थेच्या सक्षम अधिका-यांसमवेत एकत्रित बैठक तातडीने/विहित कालावधीत आयोजित करण्यात यावी.
- 2) लोकअदालतीमध्ये संबंधित प्रकरणी तडजोड घडवून आणण्याची निकड व त्यायोगे होणारा शासन महसूलाची बचत या बाबी संपादक संस्थेच्या अधिका-यांच्या निदर्शनास आणण्यात यावी.

- 3) लोकअदालतीमध्ये संबंधित प्रकरणी तडजोड घडवून आणण्यासाठी संपादक संस्थेच्या सक्षम अधिका-यांची संमतीची आवश्यकता संबंधितांच्या निदर्शनास आणण्यात यावी.
- 4) लोकअदालतीसमोरील तडजोडीच्या वेळेस संपादक संस्थेच्या सक्षम अधिका-यांची उपस्थिती असणे बंधनकारक असेल.
- 5) लोकअदालतीमध्ये तडजोड होणा-या प्रकरणांशी संबंधित निधी संपादन संस्थेने / संबंधित प्रशासकीय विभागांनी तडजोडीच्या दिनांकापासून 6 महिन्यात उपलब्ध करून देणे बंधनकारक राहिल.
- 6) लोकअदालतीमध्ये तडजोड झालेल्या प्रकरणी निधी उपलब्ध करून देण्याची सर्वस्वी जबाबदारी संबंधित संपादक संस्था / प्रशासकीय विभाग यांची राहिल.
- 7) विहित कालावधीत निधी उपलब्ध करून न दिल्यास त्याअनुषंगाने उदभवणा-या पुढील अडचणीस संबंधित संपादक संस्था / प्रशासकीय विभाग जबाबदार राहिल."

4. Time and again this court has been issuing directions to the acquiring body as well as the State to ensure that the Lok adalat awards are satisfied within stipulated periods. A similar issue reached the Hon'ble Supreme Court in **Bhusawal Municipal Council Vs. Nivrutti Ramchandra Phalak and others** reported in 2015 [14] SCC 327. The Hon'ble Supreme Court recorded in paragraph nos. 16 to 21 as under :-

16. The judicial process of the court cannot subvert justice for the reason that the court exercises its jurisdiction only in furtherance of justice. The State/authority often drags poor uprooted claimants even for payment of a paltry amount upto this Court, wasting the public money in such luxury litigation without realising that poor citizens cannot afford the exorbitant costs of litigation and, unfortunately, no superior officer of the State is accountable for such unreasonable conduct. It would be apt to quote the well known words of Justice Brennan:

“Nothing rankles more in the human heart than a brooding sense of injustice. Illness we can put up with. But injustice makes us want to pull things down. When only the rich can enjoy the law, as a doubtful luxury, and the poor, who need it most, cannot have it because its expense puts it beyond their reach, the threat to the continued existence of free democracy is not imaginary but very real, because democracy’s very life depends upon making the machinery of justice so effective that every citizen shall believe in and benefit by its impartiality and fairness.”

17. The fundamental right of a farmer to cultivate his land is a part of right to livelihood “Agricultural land is the foundation for a sense of security and freedom from fear. Assured possession is a lasting source for peace and prosperity.” India being predominantly an agricultural society, there is a “strong linkage between the land and the person’s status in the social system.” ?"A blinkered vision of development, complete apathy towards those who are highly adversely affected by the development process and a cynical unconcern for the enforcement or the laws lead to a situation where the rights and benefits promised and guaranteed under the Constitution hardly ever reach the most marginalised citizens. For people whose lives and livelihoods are intrinsically connected to the land. the economic and cultural shift to a market economy can be traumatic." (Vide: Mahanadi Coal Fields Ltd. & Anr. v. Mathias Oram & Ors., (2010) 11 SCC 269; and Narmada Bachao Andolan v. State of Madhya Pradesh & Anr., AIR 2011 SC 1989)
18. A farmer’s life is a tale of continuous experimentation and struggle for existence. Mere words or a visual can never convey what it means to live a life as an Indian farmer. Unless one experiences their struggle, that headache he will never know how it feels. The risks faced by the farming community are many; they relate to natural calamities such as drought and floods; high fluctuation in the prices of input as well as output, over which he has no control whatsoever; a credit system which never extends a helping hand to the neediest; domination by middlemen who enjoy the fruits of a farmer’s hard work; spurious inputs, and the recent phenomenon of labour shortages, which can be conveniently added to his tale of woes. Of late, there have been many cases of desperate farmers ending their lives in different parts of the country. The Principles of Economics provides for the producer of a commodity to determine his prices but an Indian farmer perhaps is the only exception to this principle of economics, for even getting a decent price for their produce is difficult for them.
19. Economic growth through the 1990’s had made India a more market-oriented economy, but had failed to benefit all Indians equally. The problems that plagued the farmers several decades ago are still glaringly present today; there is little credit available. What is available is very expensive. There is no advice on best practice in conducting agriculture operations. Income through farming is not enough to meet even the minimum needs of a farming family. Support systems like free health facilities from the government are virtually non-existent. The drama of millions leaving their homes in search of jobs, which are non-existent of villages swiftly losing able-bodies of adults, leaving behind

the old, hungry and vulnerable. Families break up as their members head in diverse directions.

20. We do not see any justification in the appellant approaching this Court with an object to get an interim order so as not to make any payment of enhanced amount of compensation. Such attitude not only amounts to high-handedness and arbitrariness on its part, rather it may cause serious prejudice to the respondents. The excuse that the appellant-council has paucity of fund cannot be accepted as a justified cause to entertain the petition. If the land is to be acquired, law requires prompt payment of compensation. In case the party by whom or for whom the land is acquired is not in a position to make the payment of compensation, the person-aggrieved becomes entitled to get the land restored. Payment of compensation as per award under Section 11 of the Act 1894, cannot be sufficient security to serve the interest of the person-interested pending adjudication of appeal against the reference court's award.
21. In view of above, the appeals are devoid of any merit. In such a fact-situation, the court cannot sit limply and allow the defaulter to go scot free and force the person seeking protection to loose hope. The court cannot adopt an indifferent and passive attitude in such circumstances. The appellant is directed to make the payment of the enhanced amount of compensation within a period of 10 weeks from today, failing which it must restore the possession of the suit land to the persons-aggrieved who in turn would refund the entire amount received as compensation.

5. It is, thus, recorded that when a fundamental right of a farmer to cultivate his land being a part of right to livelihood is taken away, he ought to be compensated. A farmer's life is a tale of continuous experiment and struggle for existence. Mere words or a visual can never convey what it means to live a life as an Indian farmer, unless one experiences their struggle and their miseries. The Hon'ble Supreme Court further held in *Tukaram Kana Joshi & Ors. v. Maharashtra Industrial Development Corporation & Ors.* AIR 2013 SC 565, that right to property is not only a Constitutional or a statutory right, but also a human right and human rights are considered to be in the realm of individual rights which are gaining an even greater



multifaceted dimension and, therefore, in case the person aggrieved is deprived of the land without making the payment of compensation as determined by the Collector/Court, it would tantamount to forcing the said uprooted persons to become vagabonds or to indulge in anti-social activities as such sentiments would be born in them on account of such ill treatment.

6. We have perused several orders passed by this court in identical set of facts, earlier. Despite the mandate of this court, it appears that neither the acquiring authority, nor the State Government is being sensitized. If insensitivity is to be blinked at by this court, we are afraid that the rule of law will not prevail and there would not only be a travesty of justice, but would result in miscarriage of justice. Any injustice caused to such farmers cannot be countenanced. Despite the Government resolution dated 26.07.2021, we find that little is being done by the acquiring authority and that to, too late.

7. The acquiring authority before us has attempted to place voluminous record along with their affidavits just to create a make believe picture that they have been trying their best to ensure that the funds are received. This is an eyewash, a farcical act. A mirage is created to hold out assurances to the farmers that their payments would be made. This is merely an illusion. It is a matter of anybody's guess that

such conduct of the respondents, if ignored, would cause starvation and penury, practically leading to tremendous unrest amongst such farmers.

8. The learned advocate for the petitioners has canvassed that though these are a handful petitions before this court, it ought to be kept in mind that there could be hundreds and thousands of similarly situated persons. He, therefore, prays that though these petitioners have not specifically so stated, he would urge the court to treat these petitions in representative capacity under Order 1 Rule 8 of the Civil Procedure Code, as other farmers, on account of financial constraints, do not have the capacity to approach this court.

9. We would be failing in our duties if we do not consider the plight of all farmers who are not before the Court, along side these Petitioners, as they are identically situated and have not been able to reach this court for reasons best known to all, which is primarily due to lack of finances. It cannot be ignored that, for the farmers in the Marathwada region, life has always been a long, tenacious and a painful struggle. In a largely infertile land, shortage of water as this area is in the rain shadow region, lack of adequate water bodies, save and except reliance being on the Jayakwadi dam which was constructed as long ago as in 1972, the fact is that the farmers count and face each day of their lives as it comes. This is surely a pitiable condition. Nevertheless, it

would be showing disrespect to these farmers in particular and humanity in general, if the authorities or even this court indicates any show of pity towards them. It is their legal right to get compensation and for a person who is vested with a legal right, the demand for justice goes hand in hand. Those who have legal right, ought not to be made to beg for justice, rather it is their right to demand justice. Taking into account our experience in these cases, we, therefore, direct the State Government that henceforth, without any exception, they would ensure that the compensation amounts to the farmers who have entered into Lokadalat settlements, shall be paid within 180 days, as per the G. R. dated 26.7.2021. Failing to make such payments would legally entail interest component, which would be calculated and the officers who would be responsible for the delay, shall have to be pay the said interest component from their salary.

10. In view of the above, **these petitions are partly allowed** with an ultimatum to the acquiring authorities and the State that they would clear the entire legal dues of these petitioners, in the backdrop of some payments having been made, within 45 days from today.

11. We direct the acquiring body as well as the State to ensure that those farmers who have presently entered into the Lokadalat settlements from 2017 onwards, provided there are no such cases prior thereto, are paid their awarded amounts, within 90 days from today.

12. Rule is made partly absolute in the above terms.

13. Pending **civil applications** would not survive and stand disposed off.

[Y. G. KHOBRAGADE]  
JUDGE

[RAVINDRA V. GHUGE]  
JUDGE

SG Punde