

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.3042/2015

21 WRIT PETITION NO. 3042 OF 2015

KASHINATH GORAPPA RAJE
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr. Barlinge S.R.
AGP for Respondent State: Mr. V.D.Godbharle

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: August 20, 2015

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PER COURT :-

1. The petitioner is praying for issuance of directions to the respondents to pay the amount of compensation determined by the Reference Court.

2. The lands belonging to the petitioner have been acquired for public purpose long back. An award under Section 11 of the Act was passed in the year 1989. The petitioners being aggrieved by the award passed by the Collector, tendered Reference Application which was also decided on 29.4.2004, thereby directing enhancement in the amount to be received by the petitioner. The State Government preferred an appeal raising exception to the order passed by the Reference Court, however, the appeals tendered by the State Government were dismissed in the year 2006. The petitioner tendered application seeking execution of the award in the year 2005. However, since last ten years, inspite of dismissal of the appeal preferred by the State

agp/-

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(2)

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Government, the amount has not paid.

2. Even after issuance of the notice by this Court on 24th March, 2015, there is no response from the State and no time frame has been specified by the respondents for depositing the amount.

3. In these peculiar facts and circumstances of this case, we direct respondent nos. 1 and 2 to deposit the amount receivable by the petitioner in terms of the Darkhast presented by them together with all the benefits in respect of solatium, interest, component, etc., before the executing Court, as expeditiously and preferably within a period of three months from today.

With the directions as above, the writ petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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