

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

36 WRIT PETITION NO. 7288 OF 2015

FULCHAND VISHWANATH BIRAJDAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioners : Mr. Patil N.P. Jamalpurkar  
AGP for Respondents No.1 to 5: Mr. N.B. Patil

...  
CORAM : R. M. BORDE & P.R. BORA, JJ.  
Date: August 31, 2015

...  
PER COURT :-

1 It is not a matter of dispute that the the amount of enhanced compensation has been determined in the year 2010. The petitioners are the affected persons and their landed property has been taken in possession for rehabilitation of other affected individuals. In spite of decision, directing enhancement in the amount of compensation taken in 2010, even after lapse of more than five years, request of the petitioner made to the State Government for actual payment of amount of compensation has not been entertained. Though affidavit in reply has been presented on behalf of respondents Nos.4 & 5, no time frame has been given in respect of payment of amount of compensation. It is stated in the affidavit in reply that, State proposes to present an appeal to the Supreme Court. However, even after lapse of more than five years, the appeal has not yet been presented.

2 Under these circumstances we dispose of this petition with directions to the respondents to deposit amount of compensation before the Reference Court in pending Execution Applications, as expeditiously as possible and preferably within a period of six months from today and it is accordingly directed.

3 The writ petition is disposed of.

( P.R. BORA, J. )

( R. M. BORDE, J. )