

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1839 OF 2015
IN
WRIT PETITION NO.5701 OF 2012**

Shri Eknath Parvatij Jawle
and Others

..... Petitioners.

V/s

The State of Maharashtra
and Others

..... Respondents.

Mr. Vagish Mishra i/b Mr. M. Tripathi & Co. for the Petitioners.
Mr. V.B. Thadani, AGP for Respondent Nos. 1 to 3 and 5.
Mr. Khushood Akhtar i/b Mr Rajiv Jadhav for Respondent No.4.

**CORAM: V. M. KANADE &
MRS MRIDULA BHATKAR, JJ.**

**DATE: 15th July, 2015
(In Chamber at 2.35 P.M.)**

P.C.:-

1. This Civil Application has been filed by the Petitioners for reviewing the the order passed by this Court dated 11th March, 2015. We are satisfied that after the award was passed in 1985 for the benefit of Respondent No.4, Petitioners, by using these innovative methods, have prolonged dismissal of the Petition. Initially, Petitioners had filed a suit which was dismissed and, thereafter, Writ Petition

No.5701 of 2012 has been filed. This clearly shows that the intention of the Petitioners is only to prolong and protract the proceedings. Before the earlier Bench, when it was about to dismiss the said Petition on the ground of delay and laches, a statement was made by the Petitioners that the appeal filed by the Petitioners before the Government was allowed. In view of this statement, Division Bench directed the Petitioners to produce the said order. Instead of producing the said order, the Petitioners are now contending that what is recorded by the Court in its order dated 11th March, 2015 is not correct.

2. In these circumstances, we are convinced that the Petitioners are deliberately filing these applications for protracting the proceedings. Hence, dismissing this application, we impose costs of Rs 2 lakhs on the Petitioners which shall be paid by the Petitioners to Respondent No.4 within four weeks. If the said amount is not paid by the Petitioners to Respondent No.4, appropriate steps will be taken against the Petitioners to recover the said amount from them as arrears of land revenue.

3 With the aforesaid directions, Civil Application is disposed of.

(MRS MRIDULA BHATKAR, J.) (V.M. KANADE, J.)