

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.191 OF 2015

M/s. Devi Construction Company. .. Petitioner
Vs
The Municipal Corporation of the City of Pune. .. Respondent
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Shri Rompal Singh Kohli for the Petitioner.
Shri A.P. Kulkarni for the Respondent No.1.
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CORAM : A.S. OKA &
VLACHLIYA, JJ
DATED : 17TH OCTOBER 2015

PC.

. Heard the learned counsel appearing for the Petitioner. The breach alleged is of the order dated 21st July 2014 in Writ Petition No.2585 of 2014. It is not in dispute that the Pune Municipal Corporation in May 2015 paid the interim compensation of Rs.4,60,52,820/- to the Petitioner.

2. The contention of the learned counsel appearing for the Petitioner is two fold. Firstly, he contends that the compensation has not been granted in respect of the entire area taken over by the Pune Municipal Corporation for development plan road and secondly, even assuming that the compensation is restricted to 18 metres wide development plan road, the amount paid is inadequate. Thirdly, he submits that the amount has been paid belatedly.

3. As far as the first two contentions are concerned, we must note that while disposing of the Petition, there is no finding recorded as regards the exact area which was taken over by the Pune Municipal Corporation. As far as the delay is concerned, the same is of about five months. Hence, it cannot be said that the delay amounts to a willful disobedience of the said order of this Court.

4. As far as the first two contentions are concerned, the same cannot be gone into while deciding this Contempt Petition. If the petitioner has any grievance regarding inadequacy of the compensation or failure to pay the compensation in respect of a particular area, he will have to adopt appropriate remedies in accordance with law.

5. Subject to what is observed above and by keeping the contentions on merits open, the Contempt Petition is disposed of.

(V.L. ACHLIYA, J)

(A.S. OKA, J)