

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.18 OF 2015

M/s. Devi Construction Company .. Petitioner.
Vs.
The State of Maharashtra & Ors. .. Respondents.

Mr.Rompal Singh Kohli for the Petitioner.
Mrs.M.P. Thakur AGP for the Respondents.

CORAM : A.S. OKA & A.K. MENON, JJ.

DATED : 28TH JANUARY, 2015

P.C.

1. Today, an affidavit of Shri Sadanand Subhashchandra Phadnis, Special Land Acquisition Officer, Pimpri (Unit-1), Pune is tendered by the learned AGP. She invited our attention to the paragraph 13 of the affidavit. She states that there is a typographical error and in fact, the award has been made on 22nd January, 2015.

2. Learned counsel appearing for the petitioner submits that the petitioner has not received any notice of the said award. He states that the time granted to the State to make an award has expired in September 2014.

3. We accept the statement made in the affidavit that the award under section 11 of the Land Acquisition Act, 1894 has been made on 22nd January, 2015. It is obvious that the notice of declaration of the award will have to be served to the petitioner.

The reasons have been assigned in the affidavit for the delay in making the award. We find that there is no case of willful disobedience of the order of this Court. Therefore, no action can be initiated under the Contempt of Courts Act. We accordingly reject the contempt petition. We make it clear that we have not made any adjudication on the merits of the award or the issue of the validity of the award. The said issues can be agitated in appropriate proceedings.

(A.K. MENON, J.)

(A.S. OKA, J.)