

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAW) NO.1753 OF 2014
IN
WRIT PETITION NO.3457 OF 2012

Pramod Deolal Borde & Ors.

-vs-

The State of Maharashtra, Thr. Collector, Akola. & Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

**CORAM : B.P.DHARMADHIKARI &
A.S.CHANDURKAR, JJ.**

DATE : 02.02.2015.

Heard Advocate Jagtap for respondent No.2-
applicant, Advocate Kalmegh for petitioners-landowners and
Learned AGP for respondent No.1.

Respondent No.2 i.e. Executive Engineer, Akola
Irrigation Division, Akola states that he has passed orders as
directed by this Court on 22/08/2012 on 28/03/2014. Delay
is sought to be explained by pointing out that position was
clarified by this Court on 08/01/2013.

Advocate Kalmegh for original petitioner (land-
owners) invites attention to the fact that order recognizance
entitlement of landowners to receive compensation was
passed on 15/02/2013 and as such there was no question of
passing later order on 28/03/2014. In order dated
28/03/2014 deliberately it has been observed that possession
has been taken after award. He is inviting attention of the
Court to the dates mentioned in order of this Court dated

22/08/2012 and also communication with him to show that respondents also accepted that possession was taken before that.

The landowners have already filed contempt petition No.26 of 2014.

All these contentions raised by Advocate Kalmegh can be gone into in suitable jurisdiction. Hence respondent No.2 has come up with the case that order has been passed on 28/03/2014. According to Advocate Kalmegh, order was already passed on 15/02/2013. As such we grant application for extension of time but contentions raised by landowners are kept open for its due consideration and adjudication.

Application is accordingly allowed and disposed of.

JUDGE

JUDGE