

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

MCA No. 1299 of 2013 In WP No. 596 of 1998
Teema v. The State of Maharashtra and ors

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Mr P.K. Dhomne, Adv for applicant
 Mr D.M. Kale, AGP for respdt no.1

CORAM : B. P. DHARMADHIKARI AND
 A. P. BHANGALE , JJ

DATED : 13th January 2015

1. Writ Petition No. 596 of 1998 was dismissed for default on second occasion on 14.10.2013. It was restored on 29th September 2014 subject to payment of costs of Rs. 500/-. Those costs are not paid till today and, therefore, matter is placed before this Court.

2. Learned counsel for petitioner is ready and willing to deposit costs immediately.

3. WP No. 596 of 1998 : Learned Assistant Government Pleader has invited our attention to prayer clauses contained in the petition. Clause (a) is to direct respondents to make Reference in respect of apportionment of compensation amount payable towards land Khasra No. 654/2 acquired by respondent with further prayer to direct the State Government to re-deposit amount paid to respondents no. 2 to 7 before Reference Court and to direct the

Reference Court to decide the matter expeditiously.

4. Thus, amount of compensation is already paid to respondents no. 2 to 6.

5. In this situation, subject to petitioner paying costs of Rs. 500/- in pursuance of Court's order dated 29th September 2014 in MCA 1299/13, we pass following order on WP No. 596 of 1998.

6. Respondent no. 1 shall consider request of petitioner for making Reference under Section 30 of the Land Acquisition Act, 1894 in accordance with law. Request of petitioner shall be considered within three weeks from today and if respondent no. 1 decides to make Reference, the same shall be made within next four weeks. Subject to this direction and keeping all rival contentions open, we dispose of writ petition no. 596 of 1998.

7. However, certified copy of this order shall not be issued to the petitioner unless and until costs of Rs. 500/- are paid.

JUDGE

JUDGE

joshi

