

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1422 OF 2016

Asha Vithal Kulkarni

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri S. G. Chapalgaonkar, Advocate for the Petitioner.

Shri S. S. Dande, A.G.P. for the Respondent No. 1.

Shri P. P. More, Advocate for the Respondent No. 2.

The Respondent Nos. 3 and 4 are served.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.**

DATE : 21ST APRIL, 2016.

PER COURT :

. The Reference Court has passed an award in January 2014 enhancing the compensation amount. The present respondent Nos. 1 and 2 are parties to the said award passed by the Reference Court. It is submitted that, the award passed by the Reference Court is not assailed by any of the party before this Court. The execution is also filed, but the respondents are not depositing the amount.

2. This Court on the last date had directed the respondents to state the time within which they will deposit the amount as per

the award passed by the Reference Court. The learned A. G. P. states that, inspite of various communications, no instructions are received.

3. Mr. More, the learned counsel appears for the respondent No. 2 and submits that, the respondent No. 2 is not an acquiring body and is not in possession of the property.

4. The respondent Nos. 1 and 2 herein were parties before the Reference Court. The award has become final as against them, as no appeal is filed.

5. The land of the agriculturist is acquired. Even the respondents have not come up with a plea that they would require some time to make the payment.

6. Considering the aforesaid aspects of the matter and that the judgment passed by the Reference Court still holds good, we direct the respondent Nos. 1 and 2 to make the payment as per the award passed by the Reference Court expeditiously and preferably within a period of eight (08) months from today. The writ petition is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 16