

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

WRIT PETITION NO. 7978 OF 2015

BHAUSAHEB KISANRAO HATMODE
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Jayabhar Dattatraya R.
AGP for Respondents/State : Mr. S.P. Sonpawale.

...
CORAM : S.S. SHINDE & V.L. ACHLIYA, JJ.
Dated: MARCH 15, 2016

...
Heard learned counsel for the parties.

2 In pursuance to the notice issued to the respondents, the respondents have filed affidavit-in-reply. It is stated in the said affidavit that, if the petitioner and the objector / applicant appear before the authorities and cooperate in the inquiry, the respondents 2 and 3 will ensure that such inquiry is concluded within a period of two months.

3 In that view of the matter, we direct respondent No.3 to issue notice to the objectors and after giving an opportunity to the parties of being heard, to conclude such inquiry, as expeditiously as possible; however, within three months from the date of appearance of the

parties before the said authority.

We make it clear that, in case the persons who have objected for releasing the amount in favour of the petitioner, fail to appear before the respondent No.3 upon service of the notice, the respondent no.3 will be at liberty to proceed with the matter and conclude the inquiry and take an appropriate decision. If the decision so taken is in favour of the petitioner, the respondent No.3 to disburse the amount of compensation to the petitioner, forthwith.

We have not expressed any opinion about the merits of the inquiry. It is for the respondent No.3 to inquire into the matter and take decision, in accordance with the record and relevant provisions. Petition stands disposed of on above terms.

Parties to act upon authenticated copy of this order.

(V.L. ACHLIYA, J) (S.S. SHINDE, J)