

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

**CONTEMPT PETITION NO. 214 OF 2015
IN
WRIT PETITION NO. 9753 OF 2014**

Raosaheb S/o Khandu Pandav
and Others .. Petitioners
Versus
Malini Shankar and Others .. Respondents

**WITH
CONTEMPT PETITION NO. 220 OF 2015
IN
WRIT PETITION NO. 9757 OF 2014**

Dagadu S/o Magan Palhate
and Others .. Petitioners
Versus
Malini Shankar and Others .. Respondents

**WITH
CONTEMPT PETITION NO. 215 OF 2015
IN
WRIT PETITION NO. 9752 OF 2014**

Uda S/o Kalu Jadhav
and Others .. Petitioners
Versus
Malini Shankar and Others .. Respondents

**WITH
CONTEMPT PETITION NO. 221 OF 2015
IN
WRIT PETITION NO. 9748 OF 2014**

Rustum S/o Pandurang
and Others .. Petitioners
Versus
Malini Shankar and Others .. Respondents

**WITH
CONTEMPT PETITION NO. 222 OF 2015
IN
WRIT PETITION NO. 9762 OF 2014**

Sahebrao S/o Jija Kakde
and Another

.. Petitioners

Versus

Malini Shankar and Others

.. Respondents

**WITH
CONTEMPT PETITION NO. 216 OF 2015
IN
WRIT PETITION NO. 9724 OF 2014**

Tatyrao S/o Limba Wankhare (Died)
Through L.Rs. Vitthal Tatyrao Wankhare
and Others

.. Petitioners

Versus

Malini Shankar and Others

.. Respondents

Shri Ajit Kale h/f Shri C. K. Sonawane and N. R. Thorat, Advocate
for Petitioners.

Smt. S. S. Raut, A. G. P. for the Respondent / State Authorities.

Shri S. G. Bhalerao, Advocate for the respondent No. 3 in C.P. No.
214/2015, C.P. No. 220/2015.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 06TH JANUARY, 2016.

PER COURT :-

1. The learned A. G. P. states that, the awards under Section 28-A of the Land Acquisition Act, are already passed. Mr. Kale, the learned counsel for the petitioners does not dispute the said fact. However, the learned counsel states that, though the award is passed under Section 28-A of the Land Acquisition Act, payment of the same is not made.

2. In fact, the contempt stands purged. The order of this Court stands complied though belatedly, as such, the purpose of the contempt petitions does not survive.

3. The grievance is that, the payment is not made. No doubt, after the award is passed under Section 28-A of the Land Acquisition Act, it is the duty of the State to make the payment as per award passed. The said award under Section 28-A of the Land Acquisition Act, can not be challenged by the State. The State shall endeavour to make the payment of the amount under the award under Section 28-A expeditiously to the petitioners, so as to avoid further litigation. In case, the amount is not paid within a reasonable time the petitioners may have recourse to the appropriate remedy.

4. Contempt petitions accordingly stand disposed of.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]

sam/Jan.15