

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7664 OF 2015

SHIVAJI PIRAJI TAMKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Anand V. Patil Indrale, Advocate for Petitioner
Mr. V. H. Dighe, AGP for Respondent Nos.1 & 2
Mr. V. D. Hon, Senior Counsel i/b Mr. A. V. Hon, Advocate for Respondent No.3

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CORAM : S. V. GANGAPURWALA &
A. M. BADAR, JJ.

DATE : 15th FEBRUARY, 2016.

PER COURT:

1] This Court, on 11th January, 2016 had directed the respondents to deposit Rs. 6 Lakhs. Said order is not yet complied. The grievance of the petitioner is that amount, as determined by the Reference Court vide order dated 28.11.2007 is not yet paid. No amount is paid as yet, for 8 years.

2] Mr. Hon, learned Senior Counsel for respondent No.3 submits that, in fact, respondent No.3 is not liable to pay the amount. Acquisition is of the time when Latur District was not formed. Today the award will have to be executed in the manner in which it is passed. Respondent No.3 is party to the said reference and is bound by the Award including the other respondents.

3] Considering the aforesaid aspects of the matter, the respondents shall make payment alongwith all benefits, as per the Award passed by the Reference Court dated 28.11.2007, which is passed in Reference filed in the year 1993, expeditiously and in any circumstances, within six months from today.

4] With these observations, writ petition is disposed of. No costs.

[A.M. BADAR]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

grt/-