

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

Contempt Petition No. 441 of 2014

(In Writ Petition No. 1904 of 2013)

Shiubai w/o. Mahadeo Mahajan,
Age : 60 years,
Occupation : Household and Agriculture,
R/o. Mahajan Wadi,
Taluka & District : Beed.

.. Petitioner.

versus

1. The State of Maharashtra,
Through the Secretary,
Revenue Department,
Mantralaya, Mumbai - 32.
2. Nawal Kishor Ram,
Age : 50 years,
Occupation : Service
(Collector, Beed),
R/o. Collector Office,
Beed,
Taluka & District : Beed.
3. Mr. Wagh Rajendra Eknath,
Age : - ,
Occupation : Service,
Dy. Collector,
Land Acquisition, Beed,
Taluka & District : Beed.
4. Mr. B.D. Jatale,
Age : - ,
Occupation : Service,
R/o. Executive Engineer,
Minor Irrigation Department
(E.G.S.), Beed,
Taluka & District : Beed.

.. Respondents.

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Mr. S.L. Bhapkar, Advocate, for the petitioner.

*Mr. S.G. Karlekar, Asst. Government Pleader, for
respondent nos.1 and 2.*

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

DATE : 25TH JANUARY 2016

COURT'S ORDER (Per S.V. Gangapurwala, J.) :

1. We have heard Mr. Bhapkar, the learned Counsel for the petitioner and Mr. Karlekar, the learned Asst. Government Pleader for respondent no.1 - State.
2. Mr. Karlekar, the learned Asst. Government Pleader, submits that award has been passed on 21st February 2015. He has tendered affidavit on behalf of respondent no.2 sworn on 22nd January 2016, wherein respondent no.2 has tendered unconditional apology for not passing the said order within the time stipulated by this Court. It has been further stated in the affidavit that the demand proposal to the Divisional Commissioner, Aurangabad, has been sent on 12-12-2015. The learned Asst. Government Pleader states that on receipt of the same, immediately payment would be made.
3. This Court had passed the order in Writ Petition No. 1904 of

2013 on 26th March 2013. Almost three years have lapsed from the date of passing the said order. By the said order, the respondents were directed to decide and re-determine the amount of compensation under Section 28A of the Land Acquisition Act 1894, within six months from the date of the order and to make payment as per re-determination within the said period. Only part of the order is complied with that too belatedly.

4. Considering the reason given, we accept unconditional apology tendered by respondent no.2. However, as yet, the entire order passed by this Court has not been complied. The respondents shall make payment of amount of compensation to the petitioner, under any circumstances, within four months from today, failing which concerned respondents would be liable for coercive action.

5. With the above observations and directions, the Contempt Petition is disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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