

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

Contempt Case No.1264 of 2014

ORDER:

Heard.

This contempt case is filed complaining disobedience of interim order of this Court dated 04.09.2013 in W.P.No.25856 of 2013.

Respondent No.1 has filed detailed counter affidavit *inter alia*, contending that draft notification under Section 4(1) of the Land Acquisition Act was published on 17.08.2009, enquiry was conducted and award was also passed on 09.05.2011. The petitioner is stated to have not responded to any of the notices, the compensation amount was deposited in the civil Court under Section 31(2) of the Land Acquisition Act. It is also stated that after passing of the award possession was taken over and delivered to the Executive Engineer, PR, (PIU) Department on 30.05.2011 and the land is developed into house plots and distributed house site pattas to the project displaced families under the schedule of Rehabilitation and Resettlement and that they are residing in the plots after constructing residential buildings. It is therefore, strongly disputed in paragraph 5 that the petitioner was in possession of the land on the date of passing of the interim order and that the respective beneficiaries were in possession.

In view of the said counter affidavit, the interim order of this Court being 4th September, 2013 i.e. almost two years after taking over possession by the Acquisition Officer, it cannot be concluded that there is any violation of the interim orders of this Court. Hence, the contempt case is dismissed. No costs.

Miscellaneous petitions, if any, pending in the contempt case shall stand closed.

Post Writ Petition No.25856 of 2014 in the first week of April, 2016 for final disposal. Meanwhile, respondents to file counter.

VILAS V.AFZULPURKAR, J

03.02.2016

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