

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**CONTEMPT PETITION NO. 162 OF 2016**  
**IN**  
**WRIT PETITION NO. 9407 OF 2012**

Subhash Shahaji Rakshe

.. Petitioner

VS.

The State of Maharashtra and others

.. Respondents

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Ms. Sunita Sonawane, Advocate i/b. Mr. D.R. Jayabhar, Advocate for  
the petitioner

Mr. P.S. Patil, A.G.P. for the respondent/State

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**CORAM : S.C. DHARMADHIKARI &  
MANGESH S. PATIL, JJ.**

**DATE : 27-06-2017**

ORAL ORDER :

1. After having heard the petitioner's Advocate and perusing the Petition and all annexures thereto, we are of the view that merely because a statement has been made in the affidavit-in-reply filed in Writ Petition no. 9407 of 2012, we cannot direct the respondents to pay any amounts much less the balance amounts. This is for the simple reason that it is stated that the proceedings initiated for acquisition earlier were under the Land Acquisition Act,

1894 as applicable to the State of Maharashtra. That Act has now lapsed and the State would commence the proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 afresh (for short “The Act of 2013”). That would have to be commenced so as to enable the petitioner to obtain the requisite benefits.

2. We do not think that we can issue any directions as prayed and in contempt proceedings.

3. Leaving open all other remedies of the petitioner, we dispose of this Contempt Petition.

**[MANGESH S. PATIL]**  
**JUDGE**

**[S.C. DHARMADHIKARI]**  
**JUDGE**

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