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

**CONTEMPT PETITION NO. 28 OF 2018
IN
WRIT PETITION NO. 70003 OF 2004**

1. Rukminibai s/o Gopalrao Thatte,
Since died through her legal
representatives;
- A. Smt. Vijaya Shripad Kane,
Age: 87 years, Occ: Household,
R/o. House no. 1-1-9
Begumpura Aurangbad.
- B. Smt. Shalini Vishwanath Karandikar,
Age: 84 years, Occ: household
R/o. Kavita Apartment, Wadgaon (Bk)
Tq. Haveli, Dist. Pune.
- C. Mrs. Vandana Vasant Lonhde,
Age: 78 years, Occ: Household
R/o. 13, Solapure Nagar,
Dist. Solapur.

All Through General Power of
Attorney Sanjay Shripad Kane,
Age: 58 years, Occ: Service,
R/o. Yogeshwari Prasad,
Begumpura, Aurangabad.

..PETITIONERS

VERSUS

1. Shri. Vijay Kumar,
Secretary,
Department of Agriculture,
Mantralaya, Mumbai.
2. Shri. Navalkishor Ram,
Collector, Aurangabad,
Dist. Aurangabad.

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3. Smt. Manjusha Mutha,
The Special Land Acquisition Officer,
Aurangabad, Central Building,
Aurangabad.
4. Shri. Vilas Damodhar Patil,
Registrar,
Marathwade Krishi Vidyapeeth,
Parbhani, Vidyapeeth Campus,
Basmat Road, Parbhani. ..RESPONDENTS

Mr D.V. Soman, Advocate for petitioners;
Mr M.N. Navandar, Advocate for respondent No.4

**CORAM : PRASANNA B. VARALE &
S. M. GAVHANE, JJ.**

DATE : 29th JUNE, 2018

ORAL ORDER :

Heard Mr. Soman, learned Counsel appearing
for the petitioners.

2. The grievance of the petitioners is that
though the Division Bench of this Court by order
dated 9th April, 2014 allowed the petition filed by
the petitioners and directed the respondent
authorities to pay the amount of compensation to
the extent of 100% against the acquisition of their
land within stipulated period, the order is not

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complied with. As such, the petitioners are before this Court praying for initiation of action against the respondent-authorities for their wilful disobedience.

3. Perusal of the order sheet shows that Division Bench of this Court was pleased to issue notice to respondent No. 4 before initiation of the proceedings for contempt seeking explanation.

4. Mr. Navandar, learned Counsel appearing for respondent No. 4 fairly admits that there is some delay in compliance of the order passed by this Court and he further submits that delay was unintentional and for the reasons which were beyond the control of respondent No.4. He submits that initially the land was owned by Municipal Council, Aurangabad and then was handed over to University by way of relinquishment deed and then there was some communication, as such, it took some time to take necessary steps for compliance of the order of this Court. Mr. Navandar, learned Counsel on behalf

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of respondent No. 4 tenders unconditional apology to this Court and further submits that hereinafter authorities of University and more particularly respondent No. 4 would take due care and caution for compliance of the order of this Court in letter and spirit. The undertaking given to this Court by respondent No.4 through Mr. Navandar, learned Counsel is accepted. Mr. Navandar, learned Counsel submits that the amount is ready and he would deposit the cheque of the said amount by Monday i.e. 2nd July, 2018. Office to accept the same.

5. In view of the fact situation, now the order is complied with by respondent No.4. The petitioners are at liberty to withdraw the amount from this Court by satisfying the Registrar (Judicial) of this Court. The exercise be undertaken within two weeks from today.

6. Contempt Petition is disposed of accordingly.

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(S. M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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