

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1231 OF 2017

Vishwanath Shivling Kalshetti

.. **Petitioner**

Versus

The State of Maharashtra and another

.. **Respondents**

Shri S. B. Madde, Advocate for the Petitioner.

Shri R. V. Dasalkar, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 9th January, 2018

PER COURT :

1. The learned advocate for the petitioner submits that the reference filed by the petitioner under Section 18 of the Land Acquisition Act is partly allowed on 7th February, 2005. The petitioner filed execution. Warrant of attachment is also issued. The appeal filed by the respondents against the award passed by the Reference Court is also dismissed in the year-2009. Still the amount of compensation as per the award passed by the Reference Court is not paid.

2. The learned advocate submits that the enhanced amount was to the extent of one lac and some odd.

3. In natural course we do not entertain the writ petition against such prayers, but however considering that the appeal filed by the respondents is dismissed in the year-2009. The Reference under Section 18 of the Land Acquisition Act is partly allowed in the year-2005. Even warrants are issued by the executing court still the amount of compensation is not paid. The execution was for a sum of Rs.1,22,085/-. It is high time the respondents make payment of the said amount. The land of an agriculturist has been acquired.

4. The respondent shall make payment to the petitioner as per the award passed by the Reference Court, in case there is no other impediment within a period of six (6) months from today.

5. The writ petition is accordingly disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

marathe/Jan.18