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

**CIVIL APPLICATION NO.751 OF 2018
IN/WITH
CONTEMPT PETITION NO.816 OF 2016
IN
WRIT PETITION NO.6820 OF 2015**

Rangnath s/o Tukaram Rasal & ors. ..APPLICANTS

VERSUS

Shri. I. S. Chahal & ors. ..RESPONDENTS

**WITH
CIVIL APPLICATION NO.752 OF 2018
IN/WITH
CONTEMPT PETITION NO.813 OF 2016
IN
WRIT PETITION NO.6819 OF 2015**

Babulal s/o Trimbak Bankar & ors. ..APPLICANTS

VERSUS

Shri. I. S. Chahal & ors. ..RESPONDENTS

**WITH
CIVIL APPLICATION NO.753 OF 2018
IN/WITH
CONTEMPT PETITION NO.815 OF 2016
IN
WRIT PETITION NO.6876 OF 2015**

Shailesh s/o Raosaheb Kunte & ors. ..APPLICANTS

VERSUS

Shri. I. S. Chahal & ors. ..RESPONDENTS

(2)

WITH
CIVIL APPLICATION NO.754 OF 2018
IN/WITH
CONTEMPT PETITION NO.817 OF 2016
IN
WRIT PETITION NO.6877 OF 2015

Baburao s/o Laxman Karpe & ors. ..APPLICANTS

VERSUS

Shri. I. S. Chahal & ors. ..RESPONDENTS

WITH
CIVIL APPLICATION NO.755 OF 2018
IN/WITH
CONTEMPT PETITION NO.814 OF 2016
IN
WRIT PETITION NO.6875 OF 2015

Sunil s/o Jagannath Zalani & ors. ..APPLICANTS

VERSUS

Shri. I. S. Chahal & ors. ..RESPONDENTS

Mrs Maya R. Jamdhade, Advocate holding for Mr N. R. Jamdhade,
Advocate for applicants/petitioners;
Mr S. S. Dande, A.G.P. for respondent/State;
Mr S. G. Bhalerao, Advocate for respondent No.5

CORAM : PRASANNA B. VARALE
AND
MANISH PITALE, JJ.

DATE : 8th October, 2018

ORAL ORDER:

Heard learned Counsel appearing on behalf of the
applicants/petitioners.

(3)

2. These are the applications seeking early hearing of the contempt petitions. It was brought to our notice by the learned Counsel appearing on behalf of applicants/petitioners that the contempt petitions are filed for raising grievance of non-compliance of the order passed by this Court and the same are ready for hearing. All the respondents are duly served and are being represented through their Counsel.

3. For the reasons stated in the applications as well as in view of the submissions of learned Counsel appearing on behalf of the applicants/petitioners, the applications are allowed.

4. The Contempt Petitions are taken up for hearing/consideration. Our attention was invited to the first order dated 14th September, 2015, passed by this Court in bunch of petitions. Considering the grievance of the petitioners, who are the farmers and are awaiting for their amount of compensation and the orders were passed in Lok Adalat, this Court directed the Collector to undertake an exercise for redetermination of amount of compensation and then respondent No.5 i.e. the acquiring body was directed to pay the amount to the respective claimants.

5. It seems that the respondents have failed to comply the order of this Court within a stipulated period, as such, the contempt petitions were filed

(4)

before this Court on 5th December, 2016. In the bunch of contempt petitions, this Court recorded a statement that the Collector has redetermined the compensation amount under the provisions of Section 28-A of the Land Acquisition Act on 28th August, 2016. Learned Counsel appearing on behalf of respondent No.5, on instructions made a statement before this Court that within a period of four months from the date of redetermination, the respondent - acquiring body would make the payment. The statement was accepted and by accepting that statement, the contempt petitions were disposed of.

6. The grievance of the petitioners is, in spite of undertaking given to this Court and the same being recorded by this Court on 15th July, 2016, after lapse of a considerable period, no steps are taken by respondent No.5 and the petitioners are only required to run from pillar to post for their rightful claims.

7. Learned Counsel appearing on behalf of respondent No.5 acquiring body made an attempt to submit before us that there are certain difficulties for complying with the order of this Court and though our attention was invited to certain communications forwarded by respondent No.5 to the authorities of State, we are unable to accept the submission of learned Counsel for respondent No.5 for the simple reason that the statement was made before this Court by respondent No.5 and that statement was accepted

(5)

by this court, as such, respondent No.5 is duty bound to comply the order of this Court maintaining his statement.

8. Learned Counsel for respondent No.5, on instructions from Deputy Engineer Mr G. S. Karurkar, who is a representative of the Executive Engineer and personally present before this Court, that respondent No.5 will take all the steps and disburse the amount to the petitioners within a period of three months from today. On this statement, we post the petition after three months only for compliance report to see that the amount is disbursed to the petitioners.

9. On the next date, if the order of this Court is not complied with, the further order would be passed.

(MANISH PITALE, J.)

(PRASANNA B. VARALE, J.)

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