

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.483 OF 2017

Lilabai Yashwant Malusare

.. Petitioner

V/s.

State of Maharashtra and Ors.

.. Respondents

Mr.N.B.Sawant for the Petitioner

Mrs.P.N. Diwan, A.G.P. for the Respondent no.1

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : AUGUST 14, 2018

P.C. :

1 Heard the learned counsel for the parties.

2 The learned counsel for the Petitioner submits that they filed the present Contempt Petition for non-compliance of the order dated 14.02.2017 passed by this court in Writ Petition No.8333 of 2014, and more particularly paragraph 3 thereof which reads thus:

“3. Accordingly, we direct the respondent authorities to receive 65% of the compensation amount along with application of the petitioner seeking alternate land, which has to be submitted within four weeks. Once such payment is made and application is submitted as stated above, the Rehabilitation and Resettlement Officer shall dispose of the said application in accordance with the procedure contemplated, in the light of the above

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observations within four weeks thereafter. With this direction, the writ petition is disposed of.”

3 The learned counsel for the Petitioner submits that during the pendency of the present Contempt Petition, the Respondents accepted 65% amount i.e. Rs.87,741/- on 21.07.2018. In support of this, he placed on record photocopy of the receipt to that effect.

4 The learned counsel for the Petitioner submits that in view of the subsequent development, i.e. acceptance of 65% amount, Respondent may be directed to decide their Application for allotment of alternate land within stipulated period.

5 Considering the submission made by the learned counsel for the Petitioner and as Respondents have already accepted the 65% amount, we are satisfied that the Respondents have partly complied the order dated 14.02.2017. The learned A.G.P. for the Respondents submits that they will take appropriate steps to decide Petitioner's Application as early as possible, but in any case, within four weeks from today. Statement is accepted.

6 Considering the facts as narrated above, we do not find any reason to take action against the Respondents. The Contempt Petition is accordingly dismissed with no order as to costs.

7 Parties to act on authenticated copy of this order.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)