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

CONTEMPT PETITION NO. 202 OF 2017
IN
WRIT PETITION NO. 7004 OF 2008

Battasabai Hari Shivle & Ors. ...Petitioners.
vs
The State of Maharashtra & Ors. ...Respondents

.....
Mr Sachin S Punde for the Petitioners.
Mrs Pushpalata N. Diwan for the Respondents.
.....

**CORAM : K.K.TATED, &
B.P.COLABAWALLA, JJ.
AUGUST 03, 2018.**

P.C. :

Heard learned counsel for parties,

2 By this Contempt Petition, the Petitioners alleged that though this Court, by an order dated 21st January, 2009 in Writ Petition No. 7004 of 2008 directed the respondents to make the payment as per award passed by the Special Land Acquisition Officer under Section 28A of the Land Acquisition Act, 1894, they have failed and neglected to do so. He further submits that Respondent No.2 - Maharashtra Krishna Khore Vikas Mahamandal filed their undertaking before this Court in Writ Petition No. 7004 of 2008 stating that they will deposit the awarded amount in the Court within a period of 8 weeks from the date of order in the Writ Petition i.e. 13th February, 2009.

3 During the course of hearing of the present Contempt
Petition, Respondent No.2 deposited sum of Rs.36,69,623/- in
the Registry of this Court i.e. an amount awarded by the Special
Land Acquisition Officer in favour of Petitioner No.1 and
predecessor of Petitioner No.2 in Writ Petition.

4 In view of the subsequent development and as
Respondent No.2 has deposited entire awarded amount to the
Petitioner, in the present Contempt Petition, we do not find any
reason to take any action against them under the Contempt of
Courts Act.

5 The Contempt Petition is dismissed. No order as to
costs.

6 The amount deposited by Respondent No.2 be
invested in Fixed Deposit in any Nationalized Bank initially for
one year and the same be continued till further orders in Writ
Petition 7004 of 2008.

7 Liberty granted to the petitioners, if they so desire,
to make an appropriate application before the appropriate
authorities for withdrawal of the amount and that will be
decided on merits.

(B.P.COLABAWALLA, J.)

(K.K.TATED, J.)