

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4461 OF 2018

(MUKUND PURUSHOTTAM ZAMARE...VS..STATE OF MAHARASHTRA & OTH.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Hrishikesh Wagh, Advocate for Petitioner.
 Shri N.R.Patil, A. G.P. for Respondent Nos. 1 to 3.

CORAM : B.P.DHARMADHIKARI AND
Z.A.HAQ, JJ.

DATED : AUGUST 01, 2018.

1. The petitioner claims to be in possession of the property being acquired. Advocate Shri Wagh submits that the amount of consideration has been paid and the respondent Nos.4 and 5 are now avoiding to execute sale-deed. They intend to grab amount of compensation to be released by the respondent Nos. 1 to 3. He fairly submits that suit for specific performance is already pending.

2. The learned A.G.P. appearing for the respondent Nos. 1 to 3 submits that the disputed questions arise and as the petitioner is not still owner, his claim for compensation cannot be looked into directly in the writ jurisdiction.

3. Hence, with liberty to the petitioner to file appropriate application in the pending *lis* raising this grievance and without observing anything on merits of the contentions raised by Shri Wagh, we **dispose of** the writ petition. No costs.

(Z.A.Haq, J)

(B.P.Dharmadhikari,J)