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

**CONTEMPT PETITION NO.50 OF 2019
IN
WRIT PETITION NO.1986 OF 2016**

1. Youvraj s/o Namdeo Khaladkar,
Age: 60 years, Occu: Agriculture
2. Limraj s/o Namdeo Khaladkar (Died),
through his legal heirs,
- 2-A. Nirmala w/o Limbraj Khaladkar,
Age: 42 years, Occu: Household
- 2-B. Rakesh s/o Limbraj Khaladkar,
Age: 30 years, Occu: Agriculture
- 2-C. Yogesh s/o Limbraj Khaladkar,
Age: 26 years, Occu: Education

All R/o. Shekhapur,
Tq. and Dist. Osmanabad – 413501

..PETITIONERS

VERSUS

1. Shri. A. K. Upadhyay,
Age: 47 years, Occu: Secretary,
The National Highway's Authority of India,
Ministry of Road Transport and Highway's
Department of Road Transport and
Highway's G-5 & 6, Sector-10, Dwarka,
New Delhi – 110 075
2. Shri. Ajit Jichkar,
Age: 48 years, Occu: Project Director,
Regional Office, Maharashtra,
602, 6th Floor, Kohinoor Cit Mall,
Kirol Road, Off. Lal Bahadur Shashtri
Marg, Kurla (West), Mumbai-400 070
3. Shri. Abhay s/o Prabhakar Gadekar,
Age: 45 years, Occu: Project Director,
Central Government Office,

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National Highway's Authority of India,
B-23, Near Kamgar Chowk,
N-4, CIDCO, Aurangabad- 431 003

4. Shri. Sanjay S. Kadam,
Age: 42 years, Occu: Project Director,
Central Government Office,
Manor National Highway's Authority of
India, Plot No.80, Old Santosh Nagar,
In front of Devika Gas Agency,
Jule Solapur – 143 003
5. Shri. Shirish Yadav,
Age: 41 years, Occu: Deputy Collector,
Land Acquisition Medium Project No.2,
Osmanabad, Dist. Osmanabad – 413501
6. Shri. Sunil Deshpande,
Age: 40 years, Occu: Town Planner,
Osmanabad, Dist. Osmanabad – 413 501 ..RESPONDENTS

Mr M. U. Shelke, Advocate for petitioners;
Mr A. B. Dhongade, Advocate for respondent Nos.1 & 5;
D. S. Manor, Advocate for respondent No.3

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 24th January, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioners.

2. A copy of the present contempt petition is served to learned Counsel appearing on behalf of respondent No.5. Accordingly Mr Dhongade, learned Counsel appearing on behalf of respondent No.5 has placed on record affidavit-in-reply filed through Mr Shirish Ramchandra Yadav,

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Deputy Collector/Land Acquisition Officer, Medium Project No.2, Osmanabad.

3. The grievance in the petition is in respect of non-compliance of the order dated 4th September, 2018, passed by this Court in Writ Petition No.1986 of 2016. It would be relevant for our purposes to refer to paragraph 7 of the order, whereby directions were issued by this Court and it reads that

“7. Considering all the aforesaid aspects cumulatively, the respondents shall pay an amount to the petitioner as determined under the award expeditiously and preferably within a period of four (4) months”.

4. The petitioners submitted in the petition that in spite of they approaching the authorities for compliance of the order of this Court within stipulated period, the order is not complied with.

5. Mr Dhongade, learned Counsel appearing on behalf of respondent No.5 submits that it is true that there is some delay in compliance of the order of this Court, but the delay caused was due to certain administrative and procedural difficulties. He also invited our attention to the unconditional apology tendered by the authorities. It is then submitted that a communication is forwarded to the petitioners on 4th January, 2019. A copy of the same is placed on record along with affidavit-in-reply at Exh.

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'R-1'. He further submits that the petitioners are at liberty to approach competent authority issuing communication on any date convenient to these petitioners along with certain documents only for verification and the required documents are also referred to in communication dated 4th January, 2019.

6. Learned Counsel for the petitioners submits that the petitioners would approach respondent No.5, in response to communication dated 4th January, 2019, on 4th February, 2019 along with the documents.

7. As assured to this Court and in view of communication dated 4th January, 2019, respondent No.5 to take immediate steps so as to comply the order of this Court in letter and spirit on appearance of the petitioners before the authority on 4th February, 2019.

8. As the purpose of approaching this Court is served and the grievance of the petitioners is addressed to and redressed to, nothing survives in the petition. Accordingly, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)