

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

901. CIVIL APPLICATION No. 9575 of 2019
IN CP/112/2019

Chatarsing Devchand Bahure

...Petitioner

Versus

The State of Maharashtra and others

...Respondents

Mr. R.B. Singare, Advocate for applicant

Mrs. P.V. Diggikar, Astt. Govt. pleader for respondents

Mr. M.M. Joshi, Advocate for respondent No.3

CORAM : PRASANNA B. VARALE

AND

AVINASH G. GHAROTE, JJ.

DATE : 28th August, 2019

ORAL ORDER:

1. This is an application for withdrawal of amount of Rs. 1,00,000/- deposited in the Court by the respondent No.2, in pursuance to the order passed on 05/10/2017 in a bunch of petitions, which included W.P. No. 3675/2016, to which the present petitioner was a party. By the order dated 05/10/2017 certain other directions were also issued including forwarding of the proposals for acquisition of land taken in possession under the Right to Fair Compensation and Transparency in Land Acquisition,

Rehabilitation and Resettlement Act, 2013 within the period as stipulated therein. Since the order was not complied the present contempt petition No. 112 of 2019 has been filed, in which the present civil application has been filed.

2. It is stated by the petitioner in paragraph No.4 of the C,A. No. 9575 of 2019 that the acquiring body has visited the spot and after completing negotiations sale deed is also executed by the petitioner in favour of the acquiring body in consequence of which a cheque of Rs. 3,65,341/- has been handed-over to the petitioner by deducting the amount of Rs. 1,00,000/- which is deposited in this Court. Thus, the entire grievance as raised in C.P. No. 112 of 2019 stands addressed. The contempt petition, therefore, does not survive and is accordingly disposed of.

3. Needless to mention that in view of the sale deed, referred to above, the petitioner is entitled to withdraw the amount of Rs. 1,00,000/- as deposited in this Court, and the office is directed to release the payment to the petitioner.

(AVINASH G. GHAROTE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

vbd