

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

WRIT PETITION NO. 7004 OF 2008

Battasabai Hari Shivle & Ors. ... Petitioners
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. Sachin S. Punde for the Petitioners.
Mr. Vijay Patil for Respondent No.4.
Smt. P.N. Diwan, A.G.P. for the Respondent Nos.1 to 3- State.

CORAM : R.M. BORDE AND V.L. ACHLIYA, JJ.
DATE : 14th JANUARY 2019.

P.C.:

1 The instant Petition has been presented by the Petitioners-Original Claimants seeking enforcement of the award passed by the Land Acquisition Officer under Section 28(A) of the Land Acquisition Act, 1894. This Court directed the acquiring body to deposit the amount of compensation determined by the Land Acquisition Officer in this Court during the pendency of the Petition. It is informed that the amount of compensation in respect of Petitioner Nos.1 and 2 has been deposited by the acquiring body in this Court and so far as the amount of compensation

receivable by the other Petitioners is concerned, the same has been deposited in the Land Acquisition Office. Since the challenge raised by the acquiring body to the award passed by the Land Acquisition Officer under Section 28(A) dated 17.09.2007 has been disposed of by a separate order passed today, there shall be no impediment for permitting the Petitioners to withdraw the amount of compensation deposited by the acquiring body in this Court, Petitioner Nos.1 and 2 shall be permitted to withdraw the amount deposited by the acquiring body in this Court together with the amount of interest, unconditionally (in pursuance to the order passed in Contempt Petition No.202 of 2017). It is informed that other Petitioners i.e. Petitioner Nos.3 to 38 have already withdrawn the amount of compensation which has been deposited by the acquiring body with the Land Acquisition Officer. In view of the permission as recorded today, the grievance raised by the Petitioners in the instant Petition stands redressed.

2 The Writ Petition is accordingly disposed of. Rule discharged.
There shall be no order as to costs.

(V.L. ACHLIYA, J.)

(R.M. BORDE, J.)