

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.543/2018

Dashrath T. Gavahane & Ors. Petitioners.
Vs.
State of Maharashtra & Ors., ... Respondents.

Advocate Mr.PN Joshi I/b Pratik Rahade for petitioner.
Advocate Dinesh B. Khaire for respondent.
Advocate Mr. CD Mali AGP for State.

CORAM : K.K.TATED, J.
DATED : JULY 12 , 2019.

P.C.

Heard learned counsel for parties.

2. By this Contempt Petition, Petitioner submits that Respondents committed contempt of Court by not obeying the order passed by this court dated 18.01.2018 in first appeal no.608/2001 with connected matters.

3. Learned counsel for the petitioners submits that this court by order dated 18.1.2018 directed Respondents to deposit the remaining amount of award alongwith interest accrued thereon within four months after the computation

of the amount by the Reference Court.

4. Learned counsel for the petitioner submits that though order was passed by this court on 18.1.2019 till today respondents failed and neglected to deposit the entire amount in reference court.

5 Learned counsel appearing on behalf of respondent/acquiring body submits that till today amount is not computed by reference court. Therefore, there is no question of making any payment. He submits that they already filed their calculation before the executing court in all matters. The matter is pending before executing court to determine the exact amount due and payable. In some matters nobody is appearing on behalf of the claimants. Therefore, the question of service also arose before trial court. The acquiring body undertakes that they will remain present in Executing Court to determine the exact amount due and payable to the petitioners.

6. Learned advocate for petitioners submits that, the advocate on record in present matter is a ready and willing to accept all service on behalf of original claimants from acquiring body, so that the court can determine exact amount due and payable, immediately.

7. In view of this fact following order is passed.
- a) The Executing Court/Civil Judge, Senior Division, Pune before whom all Land Acquisition Reference are pending for calculation of amount due and payable by acquiring body, directed to decide all application on merits as early as possible but in any case on or before 31.8.2019.
 - b) Liberty granted to acquiring body to serve all their applications on advocate on record in the present contempt for Petitioner immediately, so that the matters can be proceeded.
 - c) Contempt Petition stands rejected.

(K.K.TATED, J.)

