

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

CIVIL APPLICATION (CAN) NO. 90 OF 2019
with
CONTEMPT PETITION (CP) NO. 222 OF 2019
in
FIRST APPEAL (FA) NO. 441 OF 2006 (D)

[Dharnidhar Deokaranji Vora and anr. Vs. The State of Maharashtra and ors.]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R. M. Ahirrao h/f. Shri B. D. Vora, Advocate for the
petitioners
Shri Sharad Thakre h/f. Shri M. M. Agnihotri, Advocate for the
respondents.

CORAM : M. G. GIRATKAR, J.

DATE : 20/09/2019

Heard learned Counsel Shri R. M. Ahirrao holding
for Shri B. D. Vora, Advocate for the petitioners.

Petitioner no. 1 died due to old age on 06.08.2019.

Petitioner no. 2 is son of petitioner no. 1.

Hence, name of petitioner no. 1 is deleted.

Accordingly, the application is disposed of.

CONTEMPT PETITION (CP) NO. 222 OF 2019

Heard learned Counsel appearing for the respective
parties.

Petition is filed for contempt of judgment passed by this Court on 06.06.2018. From the perusal of judgment, it appears that the appeal filed by M.I.D.C. came to be dismissed. Amount of compensation granted by Reference Court of Rs.2,00,000/- per hectare was directed to be deposited. M.I.D.C. not deposited the said amount, therefore, the petition is filed for contempt.

There is no dispute that execution can be proceeded before the Reference Court under Order XXI of C.P.C.. The petitioner is at liberty to file execution proceedings before the Reference Court for recovery of amount of compensation as per provisions of Order XXI of C.P.C.

Accordingly, the petition is **dismissed** with no order as to costs.

JUDGE

SMGate