

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

CONTEMPT PETITION NO.62 OF 2019
IN
CONTEMPT PETITION NO.51 OF 2010
IN
WRIT PETITION NO.2878 OF 2006

Anil s/o Eknath Kolhe and ors.

.. Petitioners

Versus

Shri Nitin Karir,
Secretary, Urban Development
Department, Mantralaya at
Mumbai and ors.

.. Respondents

Mr A.B. Kale, Advocate for petitioners
Mr S.P. Sonpawale, A.G.P. for respondents no.1 to 5
Mr S.B. Munde, Advocate h/f Mr V.D. Gunale, Advocate for respondent
no.6

**CORAM : PRASANNA B. VARALE AND
ANIL S. KILOR, JJ.**

DATE : 2nd January 2020

ORAL ORDER :

1. On a grievance of non-compliance of order of this Court, the present contempt petition was filed.
2. By order dated 30th January 2019, simple notice was issued to the respondents and by a detailed order dated 6th November 2019, respondent no.6 - Commissioner, Jalgaon Municipal Corporation, respondent no.3 - Collector, Jalgaon and respondent no.4 - Special Land Acquisition Officer, Jalgaon were directed to file affidavit within one week to state as to when the entire process of acquisition would be completed. In response to our order dated 6th November 2019, affidavit-in-reply is filed on behalf of respondents no.3 and 4 through Shri Kiran A. Sawant Patil, Deputy Collector and Special Land Acquisition Officer, Jalgaon. It may not be necessary to refer to the

details of affidavit-in-reply, suffice to say that respondents no.3 and 4, in clear terms state before this Court that the order of this Court is binding on them and they are duty bound to obey the order of this Court. It is further stated in the affidavit-in-reply that as soon as 50% of compensation amount is deposited by Jalgaon City Municipal Corporation, the notification under Section 19 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred as 'the Act' for brevity) has been immediately published on 8th August 2019 and the proceedings are initiated by following the provisions of law. It is further stated that notices under Section 21 (1) (2) of the Act are already served on the petitioner and the concerned parties and the proceeding under Sections 22 and 26 of the Act is in progress and it will take two months to declare the award under Section 23 of the Act. It is then stated that two months period may kindly be granted to complete the award. Learned A.G.P. on instructions orally added that now the proceeding is at the stage of an approval to be granted by the Divisional Commissioner and within one month, the entire exercise of declaration of award would be completed.

2. As the petitioner was required to approach this Court time and again, it may not be out of place to state that the respondent who is Commissioner of Municipal Corporation, Jalgaon would take all the necessary steps which are required to be taken on the part of Corporation expeditiously so as to complete the award in its true sense and letter and spirit.

3. Accepting the statement by learned A.G.P. as an undertaking to this Court and considering the fact that the grievance raised in the petition no more survives, the Contempt Petition is disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

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