

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7044 OF 2019

Tukaram Vithalrao Joshi and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr D.A. Bide, Advocate for Petitioners
Mr P.S. Patil, Addl. G.P. for Respondent-State

**CORAM : S.V. GANGAPURWALA
AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 17th FEBRUARY, 2020

PER COURT :

1. The respondent No. 3 is served with the notice. None appeared for respondent No. 3. Thereafter, this Court issued notice of final disposal to respondent No. 3. The notice of final disposal is also served upon respondent No. 3, still, none appears for respondent No. 3.

2. The petitioners had filed Reference in the year 1994. The same is allowed under the Judgment and Award dated 08.12.2009. The petitioners thereafter filed Darkhast bearing Special Darkhast No. 82 of 2013. In the said Dharkhast, even bailable warrants were issued to the Judgment Debtor, still, the amount is not deposited. The amount due and payable is in respect of acquisition of agricultural land of the agriculturists. As

per the execution petition, on the date of filing of execution, the amount appears to be Rs. 7,56,000 and odd. The respondents are not responding even to the warrants issued by the Court.

3. In case the Judgment and Award passed by the Reference Court in L.A.R. No. 492 of 1994 is still in force, then the respondent shall pay the enhanced amount of compensation to the petitioners as per the Judgment and Award dated 08.12.2009 in L.A.R. No. 492 of 1994 within a period of six months from today.

4. The writ petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S.V. GANGAPURWALA, J.]

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