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

**CIVIL APPLICATION NO.13141 OF 2019
IN
WRIT PETITION NO.5312 OF 2017**

The State of Maharashtra,
through the Secretary,
Revenue Department,
Mantralaya, Mumbai & ors.

..APPLICANTS

VERSUS

Sumit s/o Ashokkumar Bharadiya,
Age: 28 years, Occu: Agriculture,
R/o. Mantrai Colony, Subhash Road,
Beed, Tq. & District Beed & ors.

..RESPONDENTS

Mr S. P. Sonpawale, A.G.P. for applicants;
Mr R. R. Mantri, Advocate for respondent No.1;
Mr M. N. Navandar, Advocate for respondent Nos.2 to 5

**CORAM : PRASANNA B. VARALE
AND
R. G. AVACHAT, JJ.**

DATE : 27th January, 2020

ORAL ORDER:

By way of present civil application, the applicant – State and its authorities pray for an extension of four months period for compliance of the judgment and order dated 20th/29th August, 2018, passed by this Court. It is an admitted position that prior to this application, a similar prayer was made by way of Civil Application No.7261 of 2019 and in that application, by an order dated 5th July, 2019, the Division Bench of this Court extended the period by two months from the date of the

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order i.e. from 5th July, 2019, with a clear and unambiguous indication that this extension of period is for making payment and this reflects from the statement “Period to comply with directions under clause 3 of order dated 29-8-2018 passed in aforesaid writ petition to be precise for making payment is extended by two months from today”

(Emphasis supplied).

2. Though an attempt was made by learned Asstt. Govt. Pleader to submit before this Court that there is no positive response from the other respondents, we see absolutely no reason to entertain this submission for the simple reason that this is nothing but an excuse and furthermore it is for the respondent – Department inter se to act upon and to follow the provisions of law and no direction is required from this Court to undertake this exercise.

3. It may not be out of place here to state that the review application filed by the State is dismissed by this Court at the threshold and the fact of the matter is, the judgment and order of this Court is passed in the last quarter of year 2018 and by our order, we directed the respondents to complete the entire exercise of quantification of the quantum and disbursement of the amount within a period of nine months. Now, practically the period has been lapsed and the applicants-respondents are facing contempt in this Court. The review application

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is dismissed but for the fact that respondent No.1 i.e. the original petitioner would be more interested in receipt of the amount than fighting the litigation for further period.

4. In view of above, we grant an extension of two months to the applicants as a last chance.

The civil application stands disposed of.

(R. G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)

sjk