

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

CONTEMPT PETITION NO.673 OF 2019

Aabasaheb Dattatraya Deshmukh
and others

..Petitioners

Vs.

The State of Maharashtra
and others

..Respondents

Mr.S.E.Shekade, Advocate for petitioners
Mrs.P.V.Diggikar, AGP for respondent no.1
Mr.B.R.Surwase, Advocate for respondent no.4

CORAM : PRASANNA B. VARALE

AND

R.G. AVACHAT, JJ.

DATE : FEBRUARY 04, 2020

PER COURT :-

In response to the notice issued vide order of this Court dated 10.10.2019, affidavit-in-reply is filed on behalf of respondent no.3 – Shri.Namdeo s/o. Dattatraya Tilekar, Sub-Divisional Officer, Beed. The same is taken on record.

2. It is stated in the affidavit-in-reply that in view of earlier order passed by this Court, steps were taken for passing the award and the award has been passed on 04.12.2019. A copy of the award has been annexed to the affidavit. It is further stated in the affidavit that as per the direction of this Court, the deponent has deducted earlier paid compensation amount from the new calculated amount and for remaining balance amount of Rs.84,25,576/-, a request was made to the acquiring body to deposit said amount as early as possible.

3. In the copy of the communication dated 04.12.2019, which has been annexed to the affidavit, it is stated that as and when the amount of compensation will be received from the acquiring body, the deponent will deposit the same in this Court or directly in the account of the claimants.

4. In the affidavit-in-reply, respondent no.3 has tendered unconditional apology for the delay caused in compliance of the order of this Court.

5. We accept the apology tendered by respondent no.3. It can safely be said that respondent no.3 has complied with the order of this Court relating to his part.

6. Mr.Surwase, learned Counsel for respondent no.4 – acquiring body, places on record a copy of communication dated 21.01.2020, wherein it has been stated that as per the final award, the amount to the tune of Rs.94,36,890/- towards compensation, was fixed and by deducting the amount of Rs.17,77,275/- which has already been paid to the claimants. It is stated that the remaining amount to the tune of Rs.76,59,615/- has been submitted by cheque No.643371 dated 22.01.2020, to the office of Sub-Divisional Officer, Land Acquisition, Beed. There is also reference to the names of the land owners with their entitlement.

7. In view of the above, the Contempt Petition is disposed of with a direction to respondent no.3 –

Sub-Divisional Officer, Beed, to disburse the amount received from respondent no.4 – acquiring body, to the petitioners/claimants, at the earliest and not later than three weeks from today.

8. The above direction will meet the ends of justice and the grievance raised in the present Contempt Petition would no more survive. The Contempt Petition stands disposed of accordingly.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]

kbp