

(1)

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

**CONTEMPT PETITION NO.845 OF 2019
IN
WRIT PETITION NO.6819 OF 2019**

1. Manikchand s/o Chandulal Borana,
Age: 70 years, Occu: Agri.,
2. Rajesh s/o Manikchand Borana,
Age: 39 years, Occu: Agri.,
3. Rohit s/o Manikchand Borana,
Age: 41 years, Occu: Agri.,

All R/o. At & Post Terkheda,
Tq. Washi, Dist. Osmanabad

..PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Finance Department,
Mantralaya, Mumbai -32
2. National Highways Authority
of India through its Project Director,
B-23, Near Kamgar Chowk,
Sector N-4, CIDCO,
Aurangabad
3. The District Collector,
Osmanabad, Tq. & Dist. Osmanabad
4. The Authorized Officer/
Sub-Divisional Officer (Land Acquisition),
Kalamb, Barshi Road, Kalamb,
Tq. Kalamb, Dist. Osmanabad

..RESPONDENTS

Mr Tushar R. Daware, Advocate h/f Mr A. G. Talhar, Advocate for
petitioners;

Mr S. P. Sonpawale, A.G.P. for respondent No.1;

Mr A. B. Dhongade, Advocate for respondent Nos.3 & 4

(2)

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

DATE : 11th February, 2020

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioners.

2. The grievance raised in the present petition is of non-compliance of the order dated 12th June, 2019, passed by the Division Bench of this Court in Writ Petition No.6819 of 2019. By the said order, the competent authority was directed to decide the representation dated 19th January, 2019, filed by the petitioners, in case the same is pending before the authority, on its own merits and within a stipulated period of four months.

3. The copy of the contempt petition was served on the competent authority i.e. respondent No.4 and it seems that, before issuance of any notice by this Court, respondent No.4 sou moto filed the affidavit-in-reply in this Court. A statement is made in the affidavit-in-reply that due to certain exchange of communications, the delay is caused in deciding the representation, but now the representation of the petitioners is decided vide order dated 4th January, 2020, of which the copy is placed on record at annexures to the affidavit-in-reply.

(3)

4. Learned Counsel appearing on behalf of the petitioners admits the fact situation of deciding the representation and though there is delay in decision, we accept the explanation provided for the delay caused in decision. As of now, the representation of the petitioners is decided by the competent authority and the order of this Court is duly complied with, the grievance of the petitioners, raised in the petition no more survives. As such, the present petition is disposed of accordingly.

(R. G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)

sjk