

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1019 WRIT PETITION NO. 3170 OF 2020

LATA NARAYANRAO KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS

...
Advocate for Petitioner : Mr N.T. Tribhuwan h/f Mr. Vivek U. Jadhav
AGP for Respondent Nos. 1 to 4 : Mr. A. S. Shinde
...

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 17th FEBRUARY, 2022

PER COURT :-

1. Respondent No. 5 though served, is absent.
2. The petitioner states that, the petitioner had filed Reference Under Section 18 of the Land Acquisition Act. The Reference is partly allowed. Execution bearing Darkhast No. 06 of 2014 is also filed. Even after lapse of eight years, the amount has not been paid. Warrant was issued, however, Acquiring Body is not depositing the amount.
3. The liability against the respondents is joint and several liability to pay the enhanced amount of compensation to the petitioners. The respondent Nos. 1 to 4 are the State and respondent No. 5 is an instrumentality of the State. Even in execution proceedings, warrants were issued.

4. It is not stated that the respondents have preferred appeal against the order passed by the Reference Court or that the order of stay is in force.

5. Considering the above, we pass the following order-

ORDER

In case the order of the Reference Court in LAR No. 1009 of 2009 and Darkhast No. 06 of 2014 is still in force and there are no prohibitory orders passed by any Court, then the respondents shall pay the amount to the petitioners as directed in the award passed by the Reference Court within six months.

6. Writ petition is accordingly disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE