

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

903 CONTEMPT PETITION NO.500 OF 2022

IN

WP/11505/2019

WITH

**CP/493/2022 IN WP/14753/2019 WITH CP/494/2022 IN
WP/3243/2019 WITH CP/495/2022 IN WP/3277/2019**

SUBHASH MANUSING MAHAJAN

VERSUS

THE STATE OF MAHARASHTRA

THROUGH ITS SECRETARY AND OTHERS

...

Advocate for Petitioners: Mr. Pingale Durgesh M

AGP for Respondent/State: Mr. P. S. Patil

...

CORAM: RAVINDRA V. GHUGE

AND

ARUN R. PEDNEKER, JJ.

DATE: 21st SEPTEMBER, 2022

PER COURT:

1. We have considered the submissions of the learned Advocate for the Petitioners and the learned AGP, who is instructed by the Sub-Divisional Officer / Land Acquisition Officer Paithan and Phulambri - Mr. Swapnil Bharat More, and the Land Acquisition Officer, Jayakwadi Project, Aurangabad - Mr. Appasaheb Shinde. With their assistance, we have gone through the pleadings in the Contempt Petition and our orders passed earlier which are at issue.

2. There is no doubt that our orders have not been complied with. It is undisputed and uncontroverted that there is a disobedience. The learned AGP strenuously submits that the Petitioners have withdrawn their consent for direct purchase which was earlier accorded, just when the proceedings could have been taken up for adjudication. Hence, he is instructed to say that these proceedings, until pronouncement of the awards, would take at least 8 months to be decided.

3. The learned Advocate for the Petitioners submits that there are several cases wherein the awards have been delivered and payment of compensation is not made for months or years together.

4. We quite see the precarious condition of these Petitioners. Showing sympathy by the Respondents towards these Petitioners would not be sufficient, as it would not compensate them for the loss of lands, which have been acquired for a

public project. In these circumstances, this Court needs to be sensitive and if the Respondents pray that the statement be recorded, to the extent of pronouncing the awards within eight (08) months, we deem it appropriate to record that the compensation amount should also be paid within a short period after the awards are delivered.

5. The learned Advocate for the Petitioners submits that if the compensation amounts are paid prior to Diwali-2023, then these Petitions can be disposed off.

6. In view of the above, these Petitions are disposed off by recording the statement of the Respondents that the awards would be pronounced, on or before 31.05.2023. We direct that the compensation amounts would be paid, on or before 31.10.2023.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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