

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

**98 CONT. PETITION NO.41 OF 2020
IN
WP/6714/2019
WITH
CA/12502/2022 IN CP/41/2020 WITH CA/11446/2022
IN CP/41/2020**

**RAMESH DAGADUJI JAYABHAYE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioners: Mr.Sandeep N Lute
AGP for Respondents/State: Mr. A. R. Kale**

...

**CORAM: RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE: 06th SEPTEMBER, 2022

PER COURT:

1. Pursuant to our order dated 05.08.2022, the learned AGP has placed before us a compilation of 6 pages. The same are taken on record and collectively marked as "X-1" for identification. The Government Resolution dated 29.08.2022 has been issued and subject to the decision of the Review Application which the State desires to file, the compensation amount would be disbursed to the Petitioners after complying with the

formalities of executing the Sale Deed and receiving the amount on the date of execution of such Sale Deed.

2. It goes without saying that if, this Court comes to a conclusion that the Petitioners are entitled to lesser amounts and if they have received larger amounts, they would be duty bound to return the excess amount to the disbursing authority.

3. The learned Advocate for the Petitioners submits that these Petitioners would cooperate in executing the Sale Deed and prayed that such Sale Deed be executed within one (01) month and the amounts be accordingly disbursed to them. They, therefore, submit that this Petition may be disposed off.

4. In view of the above, this Petition is disposed off.

5. The concerned authorities and the Petitioners would execute the Sale Deed within one

(01) month from today and payments of compensation would be accordingly made.

6. Needless to state, considering the order passed by a coordinate bench on 02.05.2022, in the present Petition, the Petitioners would be entitled to avail of a remedy as may be permissible in law with regard to the interest on the delayed payment by preferring a Civil Suit.

7. Pending Civil Applications do not survive and stand disposed off.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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