

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.8453 OF 2021**

**BHAGWAN SAMBANJI DHAKANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO.10745 OF 2021**

**BAJARANG LAXMANAPPA AKAMAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

...

Mr. Sandeep N. Lute, Advocate for the Petitioners.

Mr. D. R. Kale, In-charge GP for Respondents-State.

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**CORAM : NITIN W. SAMBRE AND
S. G. CHAPALGAONKAR, JJ.**

DATE : 29th MARCH, 2023.

P.C:-

1. In compliance with the order dated 15th March, 2023 and 27th March, 2023 passed by this Court respondent no.2-Collector, Jalna is personally present in the Court. Through learned in-charge Government Pleader he has placed on record the communication dated 28th March, 2023 issued by the State Government in response to the demand made by the office of the Collector so as to satisfy the amount of award as reflected in the communication dated 27th March, 2023 issued by the Deputy Collector (EGS), Jalna.

2. The Collector, Jalna has given oral assurance through learned in-charge Government Pleader that in any case by 31st July, 2023 the entire amount of compensation due and payable with accrued interest thereon shall be paid to all the

petitioners in both these petitions. Since, the statement made by respondent no.2-Collector is on instructions, the same is accepted.

3. As such, we discharge the presence of the Collector, Jalna.

4. The Chief Engineer, Minor Irrigation, Local Sector is personally present in the Court. He is being apprised about the conduct of respondent no.4, which is to some extent reflected in our order dated 27th March, 2023.

5. In spite of the notice being caused on the said officer, which was duly served on him, the said officer i.e. respondent no.4 has chosen not to appear in the matter. He neither appeared nor corresponded with the office of the Government Pleader as such, hearing of the present petitions was stalled for substantial period.

6. In this background, the Chief Engineer through the learned in-charge Government Pleader Mr. Kale, assures that appropriate action shall be taken against respondent no.4 and compliance report to that effect shall be placed on record by 31st July, 2023. Since the statement is made by Chief Engineer, who is personally present in the Court, the same is accepted.

7. In view of the aforesaid statement of respondent no.2-Collector, Jalna and the Chief Engineer, who is also representing the interest of the office of respondent no.4, we deem it appropriate to dispose of the present petitions.

8. However, we further direct the Registry of this Court to place these matters on 7th August, 2023 for reporting compliance of our order referred above.

(S. G. CHAPALGAONKAR)
JUDGE

(NITIN W. SAMBRE)
JUDGE

Devendra/March-2023