



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 14831 OF 2023
IN
CONTEMPT PETITION NO. 730 OF 2022**

ASHOK BAPU DATIR AND ANR
VERSUS
SHRI SIDDHARAM SALIMATH COLLECTOR, AHMEDNAGAR
AND ORS

...
Advocate for Applicants : Mr. Nimbalkar Aniruddha A.
GP for respondent/State : Mr.A.B. Girase
Advocate for respondent nos.3, 4 and 5 in CP : Mr.Jeevan R. Patil h/f
Mr.G.B. Rajale
...

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 14th DECEMBER, 2023.**

PER COURT :-

. Around 1 H 5 R i.e. about 105 Ares land was taken possession of way back 28 years ago. Award has not yet been passed. This Court had, therefore, directed acquiring body to deposit Rs.70,00,000/- with this Court. The said amount has been deposited.

2. The land that has been taken possession of belongs to 26 persons. Gut Numbers of the lands are different. The land taken possession of belonging to the present applicants admeasures 45 Ares (Gut No.1138). The applicants are real brothers. The learned advocate and one of the applicants inform that the applicants do not have any sister. Their parents are alive. Meaning thereby both,

brothers and their parents have equal share. We, are therefore, not inclined to disburse the entire amount to the applicants. The learned advocate for the applicants and one of the applicants have come around to ask for Rs.30,00,000/- to four of them.

3. Leave to add parents of these applicants as party applicants.

4. On their addition, a sum of Rs.28,00,000/- be paid to all four applicants in equal share with an undertaking that if it is found that they have been overpaid and/or are not entitled to any of the amount, they would pay back the same, if so directed. Needless to mention the amount paid to the applicants would be duly adjusted in the amount that would be ultimately payable to them as compensation under an award, likely to be passed.

5. The application stands disposed of.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

sga/