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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT ANANDRAO
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Date: 2023.02.03
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CONTEMPT PETITION NO.769 OF 2022

Shridhar S. Karande

...Petitioner

V/s.

State of Maharashtra & Ors.

...Respondents

Ms.Pradnya Talekar i/b Talekar & Associates for the Petitioner.
Mr.R.S. Pawar, AGP for the State – Respondent.

CORAM : R.D. DHANUKA &
M.M. SATHAYE , JJ.
DATE : 31ST JANUARY, 2023.

P.C. :-

1. The Petitioner has filed this Contempt Petition alleging disobedience of the order dated 28th January, 2020 passed by this Court in Writ Petition (Stamp) No.98385 of 2020. Ms.Talekar, learned counsel for the Petitioner tendered a copy of the final award dated 27th May, 2021 and invited our attention to the amount of rental compensation held payable and holding that the Petitioner would also be entitled to interest at the rate of 9% initially and 15% subsequently from a particular date. She pointed out that however in the operative part of the said award dated 27th May, 2021, these two payments are not reflected. Mr.Pawar, learned AGP could not dispute this position.

2. We accordingly direct the Sub-Divisional Officer,

Mangalvedha to compute the payment of interest as awarded at page 4, serial No.3 of the award at the rate of 9% and 15% from the period mentioned therein, which the Petitioner would be entitled to under the said award. Such calculation shall be made within two weeks from today. The calculation shall be furnished to the learned counsel for the Petitioner simultaneously. The Respondents shall make such additional payment within one week from the date of such calculation.

3. The Contempt Petition is disposed of in aforesaid terms. We are not initiating any action under the provisions of the Contempt of Courts Act, 1971 at this stage against the Respondents.

4. Place the matter on board for reporting compliance on 27th February, 2023. If the order passed by this Court, which is the subject matter of the Contempt Petition and the order passed today is not complied with, within the time prescribed, this Court will initiate an action under the provisions of the Contempt of Courts Act, 1971 against the concerned officers of the Respondents in respect of the order dated 28th January, 2020 and the order passed by this Court today, on the next date. There shall be no order as to costs. Parties to act on the authenticated copy of this Court.

(M.M. SATHAYE , J.)

(R.D. DHANUKA, J.)