

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.582 OF 2022

Vishwas Namdeo Devare	...Petitioner
<i>Versus</i>	
The State Of Maharashtra And Ors.	...Respondents

Ms.Bhavana Khemani & Mr.Anil Ahuja, for Petitioner.
Mr.A.I. Patel, Addl. GP for Respondent Nos.1 and 4-State.

CORAM : R.D. DHANUKA &
M.M. SATHAYE, JJ.

DATED : 15th FEBRUARY, 2023

P.C. :

. By this contempt petition, the Petitioner seeks to initiate action under the provisions of the Contempt of Courts Act, 1971 alleging willful disobedience of the Order dated 28.02.2019 passed by this Court in Writ Petition No.430 of 2009.

2. Mr.Patel, Addl. G.P. for Respondent Nos.1 to 4-State tenders an affidavit of reply dated 10.02.2023 filed by the Land Acquisition Officer and Sub-Divisional Officer, Malegaon, District Nashik stating that the Competent Authority is pleased to pass an order on 08.02.2023 directing the Office of the Land Acquisition Officer to transfer the sum of Rs.5,56,60,248/- to the

Sub-Divisional Officer, Malegaon, Sub-Division Malegaon. It is stated in the said affidavit in reply that after receipt of the amount from the Principal District and Sessions Judge, Nashik, the concerned Sub-Divisional Officer will complete process within eight weeks from the declaration of the final Award and will further give compensation amount to the holders of land under acquisition. Statements made in paragraph 5 & 6 are accepted as an undertaking to this Court.

3. The Special Land Acquisition Officer and Sub-Divisional Officer to make an Award within six weeks from the date of deposit of the said amount in terms of the Order passed by the Competent Authority. The amount shall be deposited by the Land Acquisition Officer and Sub-Divisional Officer to the Sub-Division Office, Malegaon, within one week from today.

4. In view of the undertaking tendered by the Respondents, we do not propose to take any steps under the provisions of the Contempt of Courts Act, 1971.

5. Contempt Petition is accordingly disposed off.

6. It is made clear that if the amount is not released and the

Award is not made within time stipulated above, this Court will initiate proceedings under the provisions of the Contempt of Courts Act, 1971 for willful disobedience of the Order dated 28.02.2019 passed by this Court in Writ Petition No.430 of 2009 and an order of this Court passed today.

7. Place this matter on board for reporting compliance on 24th April, 2023.

(M.M. SATHAYE, J.)

(R.D. DHANUKA, J.)