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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.9 OF 2019

Sopanrao M. Mahangade ...Petitioner
V/s.
State of Maharashtra & Ors. ...Respondents

Mr.Amar Badke i/b Mr.M.V. Thorat for the Petitioner.

Mr.V.S. Gokhale "B" Panel Counsel for the State – Respondent.

Mr.Amol A. Gatne for the Respondent Nos.2 to 4.

Mr.Akshay Shinde for the Respondent No.5.

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

P.C. :-

1. By this Contempt Petition, the Petitioner seeks action under the provisions of the Contempt of Courts Act, 1971 alleging willful disobedience of the order dated 8th November, 2017 passed in Writ Petition No.10336 of 2017 by not paying any consideration of the land acquired.

2. Mr.Gatne, learned counsel for the Respondent Nos.2 to 4 invited our attention to the order under contempt and the documents annexed to the affidavit in reply filed by his client pointing out that not

only the proceedings for acquisition of the property in question were initiated but the parties have actually entered into an agreement for payment of compensation after private negotiation. He pointed that the Petitioner has been paid compensation in terms of the said agreement entered into between the parties annexed at page No.96 of the affidavit in reply.

3. This matter was on board earlier on 13th October, 2021, when the learned counsel for the Respondent Nos.2 to 4 had pointed out that after the order dated 27th April, 2022, compliance of the order has been made. On that date, learned counsel for the Petitioner was already granted time to take instructions.

4. Today, learned counsel for the Petitioner seeks adjournment again on the ground that he wants to take instructions from his client. No affidavit in rejoinder is filed controverting the fact that the Respondents have already complied with the order passed by this Court and have paid compensation after entering into private negotiation.

5. In the aforesaid facts, statements made by the learned counsel for the Respondent Nos.2 to 4 are accepted. The documents annexed to the affidavit in reply would clearly indicate that the compensation has been already paid to the Petitioner in view of the private negotiations between the parties and by entering into a

Registered Sale Deed.

6. Hence, nothing survives in the Contempt Petition and the same is accordingly dismissed.

(M.M. SATHAYE , J.)

(R.D. DHANUKA, J.)