

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 155 OF 2023

Bhagirathi Vitthal Gavali & Ors. .Petitioners

Vs.

Ravindar Khebudkar & Ors. .Respondents

Mr. Kuldeep U. Nikam for the Petitioners.
Ms. M. P. Thakur, AGP for Respondent No.3-State.
Mr. Vikram N. Walawalkar i/b. Mr. Amey C. Sawant for
Respondent Nos. 1 & 2-Corporation.

**CORAM : A. S. CHANDURKAR AND
ABHAY. S. WAGHWASE, JJ.**

DATE : 01 MARCH, 2023

P. C.

. In Writ Petition No. 1482 of 2018 that was decided on 14th August, 2018, the Sangali Miraj Kupwad Municipal Corporation was directed to pay compensation to the Petitioners alongwith 100% solatium amount in terms of its resolution bearing No. 31 dated 19.05.2016 within a period of three months from that order. Since, the said amount was not paid, this Contempt Petition has been filed.

2. The learned counsel for Respondent No.1 submits that the judgment of this Court in the aforesaid Writ Petition was challenged before the Hon'ble Supreme Court and on 02.08.2019, the Special Leave Petition (Civil) Diary No(s). 9759 of 2019, came to be dismissed. Thereafter, within a period of three months, the aforesaid amount was paid to the Petitioners in the month of November, 2019. It is thus submitted that within reasonable period, the aforesaid order has been complied.

3. The learned counsel for the Petitioners submits that in absence of any reasonable cause for the delay in making the said payment, the Respondents be held guilty of non-compliance of the aforesaid directions.

4. We find that the Respondents had challenged the aforesaid judgment before the Hon'ble Supreme Court, which decided to proceedings on 02.08.2018. The payment has been paid within period of three months of that date. We, therefore, do not find any deliberate breach or disobedience of the said directions.

5. It would be open for the Petitioners to claim interest on the aforesaid amounts, if they are so entitled in accordance with law. The remedies of the Petitioners in that regard are kept open.

6. The Contempt Petition is disposed of.

(ABHAY. S. WAGHWASE J.)

(A. S. CHANDURKAR, J.)