

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 241 OF 2015

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Shirish V. Pitre for the Petitioners.
Shri V.S. Gokhale, AGP for Respondent No.5.

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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 10TH JULY 2015

P.C.:

. Heard the Learned counsel appearing for the Petitioners. The breach alleged is of the judgment and order dated 3rd July 2012 passed by this Court in Writ Petition No.9895 of 2011. The effect of the said judgment and order is that the reservation provided in the sanctioned Development Plan of 1987 has lapsed. The breach alleged is on the basis of the letter dated 5th March 2014 addressed to the Architect of the Petitioners by the Deputy Engineer of the Pune Municipal Corporation. It refers to the fact that in the Draft Revised Development Plan of the year 2013, the property of the Petitioners is affected by a reservation.

2. What is done by the Planning Authority is to propose another reservation on the same property in the Draft Revised Development Plan of the year 2013. If the said action is otherwise illegal, the Petitioners can always challenge the same in accordance with law. However, no case is made out to initiate action under the Contempt of Courts Act, 1971. By keeping the remedy of the Petitioners expressly open, the Petition is disposed of.

(REVATI MOHITE DERE, J)

(A.S.OKA, J)