

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITIN NO.600 OF 2014

Smt. Bajabai Chimaji Kadam

Since deceased through her L.Rs. ..Petitioners.

vs.

The Collector of Pune and ors. ..,Respondents.

Mr.Gajanan M. Savagave i/by Mrs. Sumam Lengare for the
Petitioner.

Mrs. M.P. Thakur, A.G.P. for the Respondents.

**CORAM : A.S.OKA AND
A.P. BHANGALE, JJ.
DATE : 30TH MARCH, 2015**

PC:

Heard learned Counsel appearing for the petitioners.
Shri. Tushar Eknath Thombare, Dy. Collector (Resettlement)
District- Pune has tendered affidavit-dated 27 March 2015. To the
said affidavit, a copy of the order dated 27 March 2015 passed by
the Additional Collector of Pune has been annexed. Though there
is a substantial compliance made of the order passed by this
Court, the learned counsel appearing for the petitioners submits
that the order passed by the Dy. Collector is contrary to what is

observed in Paragraph 3 of the order dated 5 February 2014 in Writ Petition No.9257 of 2014. Even assuming that the said contention is correct, at the highest, it can be said that the order passed on 27 March 2015 is erroneous. Nevertheless, we may observe that what is stated in Paragraph 3 of the order dated 5 May 2014 is not a conclusion. It only refers to documents produced by the petitioners. It is ultimately for the Authorities to decide whether any part of the compensation payable to the petitioners was retained.

2) Suffice to say that no case is made out for taking action for the Contempt of Court.

3) The petition is disposed of. However, the remedy of the petitioners to challenge the order dated 27 March 2015 is kept open.

(A.P. BHANGALE, J.)

(A.S. OKA, J.)