

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

upa

**CONTEMPT PETITION NO.336 OF 2012
IN
WRIT PETITION NO.9569 OF 2011**

Juned Siddique Patel

.. Petitioner

Vs.

Achut Hange,

Commissioner Bhiwandi Nizampur Municipal
Corporation, District – Thane & Ors.

.. Respondents

....

Mr.Abhishek Deshmukh i/b. Mr.S.A. Sawant, Advocate for the
Petitioner.

Mr.N.R. Bubna, Advocate for Respondent No.1.

Mr.J.M. Joshi, Advocate for Respondent No.2.

Mr.V.P. Malvankar, AGP 'A' Panel, for Respondent No.3 – State.

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**CORAM : A.S. OKA &
A.P. BHANGALE, JJ.**

DATED : MARCH 18, 2015.

P.C. :

The breach alleged is of the order dated 1st August, 2012, passed by this Court in Civil Application No.1819 of 2012 in Writ Petition No.9569 of 2011. Today the learned counsel appearing for the Bhiwandi Nizampur Municipal Corporation has placed on record Resolution No.39 dated 31st October, 2012, passed by the General Body of the said Municipal Corporation. The General Body resolved not to make a reference under Section 12 of the Maharashtra Municipal Corporations Act, 1949.

2 The order dated 1st August, 2012, does not indicate that a direction was issued to the General Body to make a reference. The General Body was directed to take a decision on the question of making a reference.

3 Therefore, there is a substantial compliance with the order passed by this Court. If the petitioner is aggrieved by the Resolution dated 31st October, 2012, he can always adopt appropriate remedy in accordance with law for challenging the said order.

4 Subject to what is observed above, the Contempt Petition is disposed of. Notice issued in the Contempt Petition is discharged.

(A.P. BHANGALE, J.)

(A.S. OKA, J.)