

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CONTEMPT PETITION NO.219 OF 2015 IN
WRIT PETITION NO.4766 OF 2014

Eknath s/o Bhikaji Kharat

Petitioner

Versus

State of Maharashtra & others

Respondents

Mr.V.P. Golewar, advocate for the petitioner.

Mr.V.M.Kagane, A.G.P. for Respondents.

**CORAM : R.M.BORDE &
K.L.WADANE, JJ.
DATE : 19th July, 2016**

PER COURT:

1 The petitioner is praying for taking action against the Respondents for willful violation of the directions issued by this Court.

2 An application, tendered by the petitioner for allotment of plot of land, he being a person from Ex-servicemen's category, has been turned down by the Respondents.

3 It is disclosed from the affidavit-in-reply filed by the Respondents that the State Government has already allotted 2 hectares 19 ares of land to the petitioner from G.No.74, situate at village Jalgaon, Taluka Vaijapur, District Aurangabad, while he was in service in the year 1976. On receipt of the complaint, an inquiry was conducted by Respondents wherein it was disclosed that the petitioner has been allotted the aforesaid land and mutation entry,

in that respect, has already been taken in the revenue record. The petitioner has suppressed this fact and claimed allotment of plot. It is further disclosed that the petitioner has alienated the property i.e. the land allotted in his favour by the Government, by executing a registered *Isar Pawati* on 06.06.2014 in favour of one Smt.Shakuntala Shivajirao Lomte and as such, contravened provisions of Ceiling Act and also breached terms and conditions as laid down in the order of allotment.

4 Since the petitioner has alienated the land, allotted in his favour by the Government, he is not entitled to claim any further benefit for allotment of Government land from the quota prescribed for Ex-servicemen. Respondents are justifiable in holding that the petitioner is not entitled for allotment of Government land. Contempt Petition is devoid of substance.

Contempt Petition stands dismissed.

K.L.WADANE
JUDGE

adb/cp21915

R.M.BORDE
JUDGE