

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 13 OF 2015
IN
WRIT PETITION NO. 2583 OF 2014**

Narayan Hari Barhate and another .. Petitioners

Versus

Rubal Agrawal, Jalgaon .. Respondent

Shri Kunal Kale, Advocate h/f Shri B. S. Deshmukh, Advocate for
Petitioners.

Shri A. V. Deshmukh, A.G.P. for the Respondent.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.**

DATE : 02ND MAY, 2016.

PER COURT :

. We have heard the learned counsel for petitioners and the learned Assistant Government Pleader. The grievance is that the recovery certificate is not been executed, though this Court had directed the respondent to take steps to execute the same.

2. Affidavit is filed by the Collector, Jalgaon, wherein it is stated that, efforts have been taken to release the amount and some amount is recovered. However, subsequently there is stay of this Court to the auction proceedings in Review Petition Nos.

332/2012, 333/2012, 334/2012 and 335/2012 and the same are pending.

3. In the light of the above, it cannot be said that there is willful disobedience of order of this Court. The respondent is not in a position to execute the said auction proceedings. In case stay is vacated, the petitioners can approach this Court afresh. The contempt petition is disposed of.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/May 16