

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

**CONTEMPT PETITION NO. 361 OF 2016
IN
CRI. PIL NO. 39 OF 2015**

Mr. Waman H. Koli

... Petitioner.

V/s.

State of Maharashtra & Ors.

... Respondents.

Mr. Gajendra J. Waity, Advocate for the Petitioner.

Mr. Yogesh Dabke, Advocate for Respondent Nos. 1, 6 to 8.

Ms. Trupti Puranik, Advocate for the Respondent -BMC.

**CORAM : V. M. KANADE AND
MRS.SWAPNA JOSHI,JJ.**

DATE : 20th SEPTEMBER, 2016

P.C. :

1 It is the grievance of the Petitioner that though the direction was given by this court to the BMC to construct Community Welfare Center and the Library, as per the reservation earmarked in the development plan, it has not been done since February, 2016. In our view it is not appropriate for the Petitioner to expect that within six months the process of reconstruction of the Community Welfare Center and the Library will be completed, particularly when there is local resistance from the residents.

2 We are, therefore, of the view that no contempt has been committed by the Respondents and we do not, therefore, propose to issue notice to the Respondents. If any application is made by the Petitioner in a disposed of petition, we may ask the Corporation as to steps taken by them in constructing the Community Hall.

3 Contempt Petition is dismissed and disposed of accordingly.

(MRS.SWAPNA JOSHI,J.)

(V. M. KANADE,J.)

.....