

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CONTEMPT PETITION NO.39 OF 2015

IN

WRIT PETITION NO.3707 OF 2004(D)

(Smt. Shantabai wd/o Vithalrao Kopulwar (dead) through her L.Rs. Shri Murlidhar s/o Vithalrao
Kopulwar and others ..vs.. Shri Manukumar Shrivastava, Secretary, Revenue Department, Mantralaya,
Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 20-06-2016

Heard Shri A.A. Naik, Advocate for the petitioners
and Shri A.D. Sonak Advocate for the respondent Nos.1
and 5.

2. The petitioners complain that the directions given
by this Court in the judgment given in Writ Petition
No.3707/2004 on 06-10-2009 directing the respondents
to regularise the possession of the petitioners over the
concerned plot by executing a lease-deed, sanad or patta
in favour of the petitioners, have not been complied
with.

3. In response to the notice issued by this Court, the
respondent No.1 has filed affidavit stating that the
proposal in terms of the directions given by this Court
was sent to the Government and the Government has
approved the proposal and orders have been issued on

30-06-2015 for regularisation of the possession of the petitioners over the concerned plot.

4. The learned Advocate for the petitioners has pointed out the copy of communication dated 22-09-2015 issued by the Deputy Collector (Revenue) to the petitioner No.1-a and has submitted that the respondents are claiming an amount of Rs.18,82,818/- for regularisation and this is not contemplated as per the judgment given by this Court.

5. In my view, whether the demand made by the respondents for regularisation of possession of the petitioners over the concerned plot is proper or not and is as per the rules or not will have to be adjudicated in appropriate proceedings. The issue cannot be considered in contempt petition. Hence, keeping the issue open for adjudication in appropriate proceedings if taken up by the petitioners, the notice of contempt is discharged. No costs.

JUDGE

adgokar