

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

**CONTEMPT PETITION NO.162 OF 2015**

Anjali Suresh Warke .. Petitioner.  
Vs.  
Tahsildar Office, Pune & Ors. .. Respondents.

Mr.Suresh Warke i/b Ms.Indrayani M. Koparkar for the Petitioner.  
Ms.Aparna Vhatkar AGP for the Respondent Nos.1 to 3 and 5.

**CORAM : A.S. OKA & A.K. MENON, JJ.**

**DATED : 28TH APRIL, 2017**

**P.C.**

1. Heard learned counsel appearing for the petitioner and learned A.G.P for the respondent nos.1 to 3 and 5.

2. Perused the affidavit of Shri M.B. Patil, District Superintendent of Land Record and in particular a statement made in paragraph 9 thereof. A copy of the map is also annexed which shows that sub-division Nos.1 to 19 of the Survey No.5 at Viillage Mauje Khondva, Budrali, Taluka Haveli, District Pune have been shown thereon. In view of availability of the map, now the question is whether the directions in clause (ii) onwards of paragraph 18 of the judgment and order dated 7th May, 2014 have been complied with. We find from the annexures to the petition that the petitioner has not made an application to the Survey Officer in terms of clause (ii) of paragraph 18 for demarcation of the plot of land, purchased by him under the sale deed dated 24th December, 1981.

3. The notice of survey dated 14th June, 2013 appears to be on the basis of clause (i) of the judgment and order.

4. The petitioner is relying upon a letter (Exhibit-C to the petition). There is no prayer made in the said letter to carry out survey in terms of clause (ii) of paragraph 18 of the judgment in the writ petition.

5. Therefore, as of today, it cannot be said that the respondents have committed willful breach of the judgment and order in the writ petition. Therefore, as of today, no action need be initiated under the Contempt of Courts Act, 1971.

6. Accordingly, the Contempt Petition is disposed of.

**(A.K. MENON, J.)**

**(A.S. OKA, J.)**