

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.377 OF 2013

IN

WRIT PETITION NO.678 OF 2012

Shri Balu Dhavlu Thakar (Deceased)	]	
Through Heir Smt. Barasabai Baban Shinde.	]	... Petitioner
Versus		
Shri Dadabhau Joshi & Ors.	]	... Respondents

ALONG WITH

CIVIL APPLILCATION NO.1961 OF 2015

IN

WRIT PETITION NO.678 OF 2012

The Collector of Pune & Ors.	]	... Applicants
Versus		
Shri Balu Dhavlu Thakar (Deceased)	]	
Through Heir Smt. Barasabai Baban Shinde.	]	... Respondent

Mr. Abhishek Deshmukh i/b Mr. S. A. Sawant for Petitioner in CP 377/13.

Mr. P. G. Sawant, AGP for State.

CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.

DATE :- 30 MARCH 2017

P. C. :-

1. We have gone through the order dated 29/11/2016 in the above Contempt Petition. We have directed the legal representative of the deceased land owner to place the material available with her to

establish her entitlement for alternate land. According to learned AGP, though legal representative appeared on 20/01/2017, she did not place any document and sought time. However till date, she has not placed any material in support of her claim. It is already observed that at the relevant point of time, the entitlement of the petitioner in Writ Petition No.678 of 2012 was not properly verified and therefore a common contempt along with several other writ petitions came to be filed. In other words, according to the respondent authority, the petitioner deceased was not entitled for alternate land. Therefore, the concerned authority did not pursue the matter further. In that view of the matter, we direct the legal representative to produce the concerned record as indicated in the earlier order dated 29/11/2016 within four weeks from today and the same shall be considered and finally a decision be made strictly adhering to the procedure contemplated, within four weeks thereafter. With these observations, contempt proceedings are closed.

2. In view of disposal of contempt proceedings, Civil Application does not survive and the same also stands disposed of.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)