

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

**CONTEMPT PETITION NO.85 OF 2016
IN
WRIT PETITION NO.3285 OF 2014**

Shri. Gautam Pawar

...Petitioner

Versus

Nitin Kareer, the Principal Secretary,
Department of Urban Development & Ors.

...Respondents

Mr. Yuvraj Gharat i/b. Mr. Vijay Killedar for the Petitioner.

**CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 30th JUNE, 2017

P.C.

1. The learned counsel appearing for the petitioner, on instructions, states that though belatedly, the State Government has taken a decision in terms of the order dated 13th April 2015 of which breach is alleged in this petition.

2. As the State Government has taken a decision, it cannot be said that there is a willful breach or disobedience of order of this Court. Hence, it is not a fit case where action under the Contempt of Courts Act, 1971 should be initiated.

3. The petition is disposed of. We make it clear that if the decision of the State Government be adverse to the petitioner, he can always challenge the same in accordance with law.

(SMT. VIBHA KANKANWADI, J.)

(A.S. OKA, J.)