

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**CONTEMPT PETITION NO. 59/17 IN PUBLIC INTEREST LITIGATION NO. 72
OF 2015.**

(Brajbhushansingh Jageshwarsingh Bais & another .vs. Mrs. Manisha Patankar
Mhaskar & another)

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

Court's or Judge's orders

Mr. R.M. Pande, Advocate for petitioners,
Mrs. K. Deshpande, A.G.P. for respondent no. 1.
Mr. Jemini Kasat, Advocate for respondent no. 2.

CORAM : B.P. DHARMADHIKARI & ROHIT B. DEO, JJ.

DATED : JULY 5, 2017.

P.I.L. filed by the petitioners was disposed of on 1.10.2015 with direction to the State Government to act on its own decision to include area of Amgaon Khurd Gram Panchayat in the area of Salekasa Nagar Panchayat. Further direction was to postpone the election of Salekasa Nagar Panchayat till decision of State Government on inclusion of area of Amgaon Khurd Gram Panchayat into Salekasa Nagar Panchayat is given effect to.

Mr. R.M. Pande, learned Advocate for petitioners, submits that this decision already taken to merge two areas was to be executed and thereafter only elections should have been held. He submits that elections of Gram Panchayat Amgaon Khurd are being taken separately without merging it with Salekasa Nagar Panchayat.

Mr. Jemini Kasat, learned Advocate for respondent no.

2, submits that respondent no.2 has received a communication from State Government dated 17.1.2017. As per that communication, State Government has pointed out non-feasibility of such merger because of opposition of residents.

The respondent no.1 has also filed affidavit and in paragraph no. 7 pointed out a conscious decision taken by State Government in view of developments which show that such merger is not possible.

We, therefore, do not see any disobedience or deliberate disobedience by respondents of the directions of this Court. A conscious decision not to merge because of subsequent developments appears to have been taken.

Hence, with liberty to petitioners to challenge that decision as per law on its own merit, we dispose of the present Contempt Petition. No costs.

Judge

Judge

J.