

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 CONTEMPT PETITION NO. 139 OF 2018
IN WP/8433/2015

RAOSAHEB JAGANNATH AWARE
VERSUS
SUNIL BHAUSAHEB LAWANDE AND OTHERS

.....

Advocate for Petitioner : Mr. D. G. Nagode
AGP for State : Mr. S. N. Morampalle

.....

CORAM : V. K. JADHAV, J.
DATED : 28th FEBRUARY, 2018

PER COURT:-

1. Heard.
2. In terms of the order passed by this Court on 16.12.2016 in Writ Petition No.8433 of 2015, the Tahsildar, Shevgaon has issued a letter dated 07.04.2017 to respondent no.1-Circle Officer, Bhatkudgaon, Taluka Shevgaon. The learned counsel for the petitioner submits that respondent no.1 has not complied with the order passed by this Court as aforesaid even though the Tahsildar, Shevgaon has directed him specifically in the letter dated 07.04.2017 to that effect.

3. On perusal of the order dated 16.12.2016 passed by this Court as stated above, I find that in para 1, this Court has recorded the apprehension in the mind of the petitioner to the effect that the respondent (present petitioner) will use the land and most of the portion as cart-way and the person aggrieved may not be in a position to cultivate his land. This Court has further observed in a manner of explanation as to how the footpath can be used and disposed of the Petition. I do not find that this Court has issued directions to the authorities and it is for the parties to the Petition to follow the order of the Tahsildar in the light of the explanation as given by this Court in para 2 of the order dated 16/12/2016 of this Court. In any case, I do not find any contempt of the order passed by this court. The Contempt Petition is hereby rejected.

(V. K. JADHAV, J.)

vsm/