

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**937 CONTEMPT PETITION NO.464 OF 2017
IN
WRIT PETITION NO.9222 OF 2016**

**UMAKANT BABURAO YALA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr.A.V.Patil (Indrale)
AGP for Respondents/State : Mr.P.N.Kutti
Advocate for Respondent No.5 : Mr.V.C.Patil h/f.
Mr.U.B.Bondar

...

**CORAM : R.M.BORDE AND
K.K.SONAWANE, JJ.**

DATE: 6th March, 2018

PER COURT:-

1) The petitioners have moved instant application claiming non-observance of the directions issued by this Court while disposing of Writ Petition No.9222 of 2016 on 27.4.2017.

2) This Court while disposing of Writ Petition No.9222 of 2016, has recorded in Paragraph Nos.4 and 5 of the order as quoted below:

"4. The respondents have expressed willingness to complete the balance within a period of one month, provided, they are permitted to use machinery for construction of the road. The petitioners do not have any serious objection for permitting the respondents to complete the work by using machinery. It also needs to be recorded that the village Development officer has reported that labours are not available within territory of five kms. In the circumstance, the respondents need to be permitted to complete the work by using the machinery and it is accordingly permitted.

5. In view of the above, the respondents are directed to get the balance work of construction of road completed within a period of one month from today."

3) The petitioners made a complaint that the respondents have not completed the balance work as undertaken, there is breach of undertaking given to this Court.

4) In response to the notice issued by this Court, respondent No.5 - Chief Executive Officer, Zilla Parishad, Latur, has presented affidavit-in-reply. In the reply, it is asserted by the Chief Executive Officer that the work undertaken is already completed within the time-frame stipulated by the High Court.

5) In order to ascertain the contentions raised in the reply, this Court by order dated 13.11.2017 directed the Tahsildar, Udgir to submit report concerning roads which were subject matter of the petition. In pursuance of the directions issued by the Court, the Tahsildar submitted report, wherein it has been stated that the work undertaken by the respondents concerning the roads in question, has been completed. It thus appears that there is no willful disobedience of the directions issued by this Court.

6) In view of above, the Contempt Petition is disposed of.

7) The notices issued earlier stand recalled.

8) Parties to act on authenticated copy of this order.

(K.K.SONAWANE)
JUDGE

(R.M.BORDE)
JUDGE