

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

***CONTEMPT PETITION NO.268 OF 2018
IN
WRIT PETITION NO.8889 OF 2016***

Abdul Razzak Khalilmiya Surki & Ors. .. Petitioners
Vs.
Manu Kumar Srivastava, Secretary
Revenue Department & Ors. .. Respondents

Mr.Amit Gharte for the petitioners.
Mr.S.H. Kankal, AGP for the respondent nos.2 to 4.

***CORAM : R.D. DHANUKA, J.
DATE : 17th July 2018***

P.C.:

. By this petition filed under the provisions of the Contempt of Courts Act, 1971, the petitioner seeks initiation of appropriate contempt proceedings and action against the respondent no.1-contemnor for allegedly violating and willfully failing to comply with the order dated 5th October 2016 passed by this Court in Writ Petition No.8889 of 2016.

2. Heard learned counsel for the parties. Mr.Kankal, learned AGP, on instructions from the respondent no.1, states that the order dated 5th October 2016 passed by this Court could not be complied with in view of the fact that the revisional authority had called for Record and Proceedings from the office of the Additional Commissioner, Pune Division. Learned AGP tenders an unconditional apology on behalf of the respondent no.1 for not complying with the order passed by the respondent no.1 and undertakes to dispose of the said revision application within two months from the date of first hearing. Undertaking

as well as the unconditional apology by the respondent no.1 through learned AGP is accepted.

3. In view of the unconditional apology and undertaking, I do not propose to initiate any action against the respondent no.1. This Court expects from the respondent no.1 to dispose of the revision application within the time prescribed. Learned Additional Commissioner shall pass an appropriate order on the said revision application. Parties are directed to appear before the respondent no.1 on 8th August 2018 at 11.00 a.m. without fail.

4. It is made clear that if the respondent no.1 does not dispose of the said revision application within the time prescribed, the petitioner would be at liberty to apply for interim relief in Writ Petition No.8889 of 2016. The Contempt petition is disposed of in aforesaid terms. No order as to costs. Parties to act on the authenticated copy of this order.

R.D. DHANUKA, J.