

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

CONTEMPT PETITION NO.231 OF 2016

Vijaysingh Krishnarao Parbat	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

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Mr. A.A. Desai for the Petitioner.
Mrs. M.P. Thakur, AGP for the Respondent -State.
Mr. Milind Deshmukh for the Respondent No.2.
Mr. Dilip Bodake for the Respondent No.3.

**CORAM : RANJIT MORE AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 18th JUNE, 2018.

P.C.:-

Heard the learned counsels appearing for the respective parties. The Petitioner has filed this contempt petition alleging breach of order dated 9th July, 2014 passed by the Division Bench of this Court in Writ Petition No.6098 of 2012. By the said order the Respondent No.2- Kurduwadi Nagar Parishad was directed to consider the Petitioner's application dated 7th May, 2011 and to decide whether the Respondent No.3-Sadanand More, has carried out illegal construction without obtaining appropriate permission. It was further directed that if it was found that illegal construction has been carried out, the Respondent No.2- Nagar Parishad shall initiate action in accordance

with law only after following principle of natural justice.

2. Mr. Deshmukh, the learned counsel for the Respondent No.2-Kurduwadi Nagar Parishad has placed on record communication dated 23rd April, 2018 addressed to the Petitioner by Chief Officer of Kurduwadi Nagar Parishad. The letter /communication dated 23rd April, 2018 is taken on record and marked 'X' for identification. By this communication the Petitioner was informed that Respondent No.3-Sadanand More has not carried out illegal construction, hence, there is no question of taking any action against him.

3. In the above circumstances, contempt petition will not survive and is accordingly dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)