

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 216 OF 2016
IN
WRIT PETITION NO. 5869 OF 2012

Dilip Shantaram Pimpale & Ors. ..Petitioners
versus
The State of Maharashtra & Ors. ..Respondents

Mr. Sagar A. Mane for Petitioners.
Mr. A. I Patel - Addl. G.P. with Mr. B. V. Samant – AGP for State.

CORAM: S. C. DHARMADHIKARI &
SMT. BHARATI HARISH DANGRE, JJ.

DATE : 23RD JANUARY, 2018

P. C. :

1] Having heard both sides, we find that the contempt petition is entirely misconceived. Merely because no decision has been taken on an application of the petitioners or that the application is not disposed of within the time stipulated in the order of this Court, by itself and without anything more does not mean civil contempt. There is no deliberate or intentional act attributed to the respondents. For allotment of public property or government lands is neither a right vested in the petitioners nor there is absolute authority of the respondents. The State Government and the executive holds such lands in trust for the public. They are not obliged to allot them to every applicant or to consider any applications for allotment from individuals like the petitioners. These are policy matters and must be regulated by the law and the rules. As and when any decision is taken to offer the land to the public, it is for the petitioners to

participate in that process with competitors. We do not think a petition for contempt alleging civil contempt can be entertained so as to enable the petitioners to obtain the government land / public property.

2] The contempt petition is dismissed.

(SMT. BHARATI H. DANGRE, J.)

(S. C. DHARMADHIKARI, J.)

Chandka