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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.300 OF 2017
IN
WRIT PETITION NO.868 OF 2015

Shri Ranjan Bhausaheb Dombé ... Petitioner
V/s.
Shri Rajendra Bhosale and Ors. ... Respondents

Mr. Ajay A. Joshi for the Petitioner.
Mr. P.G. Sawant, AGP for the Respondent Nos.1, 2, 5 to 7.

CORAM : A.S.OKA AND M.S. SONAK, JJ.

DATE : 1st OCTOBER 2018.

P.C. :

1 In substance, the breach alleged is of the order dated 14th September 2016 in Writ Petition No.868 of 2015. By the said order, the statement of the learned AGP was accepted that the Tahsildar will hold an enquiry as per order dated 17th March 2015 passed by the Sub-Divisional Officer. The second order of this Court of which breach is alleged is dated 17th April 2017 in Writ Petition No.2608 of 2017. The second order only reiterates the direction issued in the first order dated 14th September 2016. Accordingly, the Tahsildar passed an order dated 17th July 2017 by which certain mutation entries were set aside.

2 After having perused the order of the Tahsildar and the order dated 17th March 2015 passed by the Sub-Divisional Officer, we find that

direction was issued to the Tahsildar to undertake review of certain mutation entries.

3 The order passed by the Tahsildar may not be to the satisfaction of the petitioner and in fact, the petitioner has already preferred an appeal for challenging the order of the Tahsildar dated 17th July 2017. The Tahsildar has filed an affidavit dated 9th February 2018 in which he has tendered unconditional apology for the delay.

4 We are, therefore, of the view that this is not a fit case where further action under the Contempt of Courts Act 1971 can be initiated. We, accordingly, dispose of the petition. Notice issued on 28th November 2017 is discharged.

5 We, however, make it clear that we have made no adjudication on the legality and validity of the order passed by the Tahsildar and all the issues are left open.

(M.S. SONAK, J.)

(A.S.OKA, J.)