

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

**CONTEMPT PETITION NO.315 OF 2018
IN
WP/221/2015**

Muktaram S/o Dagduji Bobade
Age : 72 years, Occu. Retd. & Ex-Sarpanch
R/o. Trithapurid, Tq. Ghansavangi,
Dist. Jalna

... Petitioner

VERSUS

1. The State of Maharashtra
Through the Collector, Jalna

2. Abhay S/o Shivajirao Chavan
Age: 38 years, Occ. Service as
the then Tahsildar, Ghansavangi,
Tq. Ghansavangi, Dist.Jalna.

3. Ashwini Damare
Age : Major,Occ. Service,
the Tahsildar, Ghansavangi,
Tq. Ghansavangi, Dist. Jalna.

... Respondents

....

Mr. P.N. Kalani, Advocate for Petitioner;
Ms. R.P.Gaur, A.G.P. for Respondent Nos.1 and 3.

....

**CORAM : PRASANNA B. VARALE
AND
S.M. GAVHANE, JJ**

DATED : 04th MARCH, 2019

PER COURT:-

1. Heard the learned counsel for the petitioner.
2. By order dated 02.05.2018, the Division Bench of this Court

was not inclined to take cognizance of the contempt. However, considering the facts situation, simple notice was issued to respondent no.2, making the same returnable on 02.07.2018. In response to the notice, a reply is filed by Tahsildar Mr. Chandrakant Prakashrao Shelke. It is stating in the affidavit in reply in para 3 that, encroachment on the 11 R land of Gut No.262 situated at village Tirthpuri has already been removed, and at present there is no encroachment on the said land. Along with the affidavit, the copies of communication exchange between the authorities, as well as the copy of *Panchanama* thereon dated 31.12.02019 is placed on record.

3. The learned counsel for the petitioner makes a statement before this Court that the statement made in the affidavit in reply is in consonance with the fact situation that the encroachment is removed by the authorities, as such, the grievance raised in the petition is no more survives.

4. In view of the affidavit in reply and also in view of the statement of the learned counsel before this Court supporting the statement made in the affidavit in reply, no orders are required to be passed in the contempt petition now. Contempt Petition is accordingly disposed of.

(S.M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE