

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

CONTEMPT PETITION NO.184 OF 2019

Shaikh Salim Abdul Subhan

...Petitioner

vs.

Dr. Rajendra Bharud (IAS) and Anr.

...Respondents

Mr. Sandeep M. Phatak for the Petitioner.

Mr. V. S. Deokar for the Respondent Nos.1 and 2.

**CORAM : B. P. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ.**

DATE : 16/10/2019.

PC.:

1. Contempt Petition has been filed alleging breach of directions contained in order dated 21/9/2018 disposing of Writ Petition No.12852/2017. It was third Writ Petition filed after disposal of Writ Petition No.6895/2016 on 12/4/2017.

2. Petitioner claiming to be the owner is seeking restoration of possession of requisitioned property. The contention is the purpose for which the property was requisitioned has long back expired and therefore on 17/8/1988, the Government has directed Zilla Parishad to put the petitioner in its possession.

3. The direction contained in order dated 21/9/2018 required Zilla Parishad to take decision on representation of the petitioner within a period of 4 weeks.

4. This Court has not issued formal notice/notice before

admission in Contempt Petition. Respondent Nos.1 and 2 have therefore through advocate filed reply affidavit and pointed out that the representation of the petitioner has been rejected on 20/2/2019.

5. Petitioner has filed rejoinder on record today.

6. We are not inclined to delve into any disputed issue at this stage. It appears that the present petition has been filed on or after 26/2/2019 and it is pending since then. As the fact of disposal of representation has come on record and the petitioner has now received that order, we grant the petitioner leave to challenge that order before the appropriate forum in accordance with law, if he is so advised.

7. Needless to mention that all contentions of the petitioner are kept open and we grant him liberty to raise the same at appropriate juncture if occasion therefor arises. With this liberty and aforesaid observation, we dispose of the present contempt petition.

(SANDEEP K. SHINDE, J.)

(B. P. DHARMADHIKARI, J.)