

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CONTEMPT PETITION NO.155 OF 2019
IN
WRIT PETITION NO. 1001 OF 2014

Shri Maroti Deosthan Dhamangaon, Tah. Hinganghat, Dist. Wardha,
thr. Its Trustees 1) Shri. Chhatrapati s/o Ramakant Thakre and others
vs.

Chindhabai wd/o Garjan Sonawane and others

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri. A. P. Chorghade, counsel for petitioner.
Shri. M. R. Joharapurkar, counsel for respondents No.1,2,4,6 & 7.

CORAM : MANISH PITALE J

DATED : 15.11.2019

The petitioner alleges in this petition that the respondents have violated interim order of status quo passed by this Court dated 24.02.2014 and confirmed on 25.03.2014. The writ petition is still pending and it is claimed that by violating the interim order, the respondents have committed contempt of this Court.

2. The writ petition arises out of tenancy proceeding and order passed by the Maharashtra Revenue Tribunal is subject matter of challenge before this Court. A perusal of the prayers made in the writ petition on behalf of the petitioner herein would show that a specific prayer is made for evicting the respondents from the land in question.

3. It clearly demonstrates the fact that the

respondents are in possession of the said land, which is conceded by the petitioner as is evident from the statements made in the writ petition, as also the aforesaid prayer made in the writ petition.

4. A perusal of the orders dated 24.02.2014 and 25.03.2014 shows that this Court directed parties to maintain status quo. The petitioner has not alleged in this contempt petition that either the respondents have parted with possession of the land in question or that they have allowed certain other persons to enter into the land for cultivating the same. The only allegation is that by cultivating the land in question, the respondents have violated the order of status quo passed by this Court.

5. When the petitioner itself has conceded to the fact that the respondents are in possession of the said land, mere cultivation carried out on the said land by the respondent is obviously not a violation of the order of status quo passed by this Court. The contentions raised on behalf of the petitioner that the respondents are not entitled to continue in possession of the said land is a question that would be decided in the writ petition on merits.

6. In view of above, it is found that there is no substance in the present contempt petition. Accordingly it is dismissed.

JUDGE