

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (STAMP) NO.19536 OF 2019**

Sushant Mohan Purandare

...Petitioner

Versus

Naval Kishore Ram, Collector of Pune

...Respondent

Mr. Rahul Kadam for the Petitioner.

Mr. A.I. Patel, Addl. GP a/w Ms P.N. Diwan, AGP for the Respondent-State.

**CORAM : A. A. SAYED &
 ANUJA PRABHUDESSAI, JJ.
DATED : 11th February, 2020**

P.C.:

The Contempt Petition alleges breach of the order dated 8th January, 2019 in Writ Petition No. 14040 of 2018. The said order reads as follows:

“1. The Writ Petition can be disposed of by issuing directions to the Collector to take decision in respect of the two applications presented by the Petitioner on 24.03.2016 and 02.05.2017 respectively as expeditiously as possible preferably within a period of eight weeks from today and it is accordingly directed. The Petitioner undertakes to co-operate Respondent Authority in final disposal of the applications.

2. In view of the directions as above, the Writ Petition is disposed of. The Petitioner shall cause appearance before the Collector on 16.01.2019 and as such no separate notice requiring his presence before the Collector is necessary.”

2. Since no decision was taken within the stipulated period of 8 weeks, a Civil Application was filed being Civil Application No. 819 of 2019 seeking extension of time to take the decision. The said Civil Application came to be allowed by on 5th April, 2019. The order dated 5th April, 2019 reads as follows:

“ Heard the learned AGP appearing for the applicant. We have also heard the learned counsel appearing for the writ petitioner who has opposed this application. Considering the averments made in paragraph-3 of the application, extension of time as prayed will have to be granted. Accordingly, application is allowed in terms of prayer clause (a). No further extension will be granted.”

3. Notwithstanding the extension granted by the aforesaid order and the observation of the Court that no further extension will be granted, the decision was not taken by the Collector, Pune. A 2nd Civil Application was then filed being Civil Application No. 1874 of 2019 seeking extension of further period of four months from 05.07.2019 to finally comply and implement the directions issued by this Court vide orders dated 8th January, 2019 and 5th April, 2019. The period of four months as sought in the Civil Application has also expired.

4. Learned AGP now has now placed on record a copy of the

letter dated 11th February, 2020 of the Desk Officer, Revenue and Forest Department, Mantralaya, Mumbai, seeking further extension of six months.

5. We are not at all happy with the manner in which the Collector has conducted himself in the matter. It appears that the orders of this Court are being taken very casually. Despite the extension of time granted by the Court in the 1st Civil Application extending the time and making it clear that no further time will be granted, the decision has not been taken. Instead of complying the orders dated 8th January, 2019 and 5th April, 2019, a 2nd Civil Application No. 1874 of 2019 was taken out for extension of a further period of four months, which period has also expired.

6. In the circumstances, we reject the request of the Collector seeking further extension of six months to take decision and implement the orders dated 8th January, 2020 and 5th April, 2019. We direct the Collector, Pune, to take the decision and implement the orders dated 8th January, 2020 and 5th April, 2019 on or before 31st May, 2020. If the decision is not taken and the orders dated 8th January, 2019 and 5th April, 2019 remain uncomplied, the Court would be inclined to take a serious view of the matter.

7. We dispose of the Contempt Petition.
8. List the Contempt Petition 'for direction' for reporting compliance on 9th June, 2020. It is made clear that in the event the orders dated 8th January, 2020 and 5th April, 2019 are not complied with, the Contempt Petitioners shall be entitled to seek revival of the Contempt Petition.

(ANUJA PRABHUDESSAI, J.)

(A. A. SAYED, J.)