

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CONTEMPT PETITION NO. 352 OF 2017

Deepak Jayvant Mhetre & Ors. .. Petitioners
Vs.
Kailas Somnath Aandhale & Anr. .. Respondents

Mr. Pandit Kasar for the Petitioners.
Mr. M. M. Pabale, AGP for the Respondents.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 8th JANUARY, 2020.

P. C. :

1. The contempt alleged is non-compliance with the mandamus issued vide order dated 13.04.2017 in Writ Petition No. 9888 of 2016. The Petitioners were relying upon a sale deed and based thereon had submitted an application to the Tahasildar, Pune on 28.07.2016 seeking mutation of lands covered by the sale deed in their favour.
2. The Applicant of Civil Application No. 879 of 2017 filed in the Writ Petition had questioned the sale deed and thus while passing the order dated 13.04.2017 this Court noted that in writ jurisdiction it cannot decide civil issues. The direction issued to the Tahasildar was to decide the application dated 28.07.2016.
3. Albeit late, the application has been decided vide order dated 07.01.2019. It is based upon a report dated 17.09.2018. Copy of the communication sent by the department to the Advocate along with

report has been supplied to the Counsel for the Petitioner.

4. Thus, leaving open the right of the Petitioner to avail remedy against the order rejecting the claim for mutation entry to be recorded, the notice of contempt is discharged. File be consigned to record.

[SMT. BHARATI DANGRE, J.]

[CHIEF JUSTICE]

Arjun
M.
Kadam

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by Arjun M.
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