

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1040 CONTEMPT PETITION NO.467 OF 2021
IN WP/1010/2021 WITH CA/12774/2021 IN
CP/467/2021

KRUSHNAKUMAR RAGHUNATHRAO TOLIKAR & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Mr.B.G. Sagade, Advocate for the petitioners.
Mr. A.R. Kale, AGP for the respondent/State.
Mr.C.V. Thombre, advocate for respondent no.5.

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CORAM : S.V. GANGAPURWALA
AND

S.G. DIGE, JJ.

DATE : 14th DECEMBER, 2021

PER COURT :-

1. The petitioners have filed the present contempt petition on the ground that the directions of this Court under order dated 19.01.2021 passed in Writ Petition No.1010/2021 are not adhered to.

2. This Court under order dated 19.01.2021 had observed that if appeal filed by the petitioners is pending with respondent no.4 then the same shall be decided expeditiously preferably within six months.

3. The grievance of the petitioners is that the respondent no.4 has not decided the proceedings as yet.

4. Mr.Thombre, learned counsel for the respondent no.5 submits that respondent no.5 had filed revision before the State Government now against the order of Additional Commissioner dated 20th March, 2021, the same is closed for orders. Respondent no.5 has filed another revision before the Additional Commissioner, Aurangabad. In the said revision, the file and record of the Sub-Divisional Officer has been called.

5. Learned A.G.P. submits that respondent no.4 is not in position to decide the proceedings as now the matter before respondent no.1 is closed for orders.

6. We expect that the orders be passed in the Revision i.e. closed for orders preferably within 15 days.

7. The Additional Commissioner shall deal with revision filed by respondent no.5 and if the record of respondent no.4 is necessary, the same shall be scanned by respondent no.2 and take decision in the revision expeditiously preferably within a period of two months. If the parties do not co-operate for early disposal of the revision, respondent no.2 may proceed further.

8. If respondent no.2 does not require the record of respondent no.4 for decision on the revision then the same may be sent back.

9. Depending upon the further orders passed by respondent no.2 in the revision application no.303/2021, as observed above, the further steps would be taken by the Sub-Divisional Officer expeditiously.

10. The Contempt Petition is accordingly disposed of.

11. If in future respondent no.4 delays the decision then liberty to the petitioners to move afresh.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

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