

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

10 CONTEMPT PETITION NO.78 OF 2020  
IN WP/11508/2017 WITH CA/8343/2022 IN CP/78/2020 WITH  
CA/8344/2022 IN CP/78/2020

**SHEKU RAMRAO THOTE  
VERSUS  
STATE OF MAHARASHTRA AND OTHERS**

....

Mr P. A. Kulkarni, Advocate for petitioner;  
Mr S. G. Sangle, A.G.P. for respondents/State  
Mr S. G. Bhalerao, Advocate for respondent No.4

**CORAM : RAVINDRA V. GHUGE  
AND  
ARUN R. PEDNEKER, JJ.**

**DATE : 17th August, 2022**

**PER COURT:**

1. The learned Advocate representing respondent No.4, submits, by placing reliance on the affidavit-in-reply dated 05/05/2022, filed by Shri. Dhananjay Maruti Godase, Executive Engineer, Minor Irrigation Division No.1, Aurangabad, that prior to 30/09/2022, the sale deed would be registered. There has been private negotiations, which are complete and the compensation amount is already received. The search report is pending.

(2)

2. In view of the above, this contempt petition is disposed off by recording the statement made by Shri. Dhananjay Maruti Godase.

CIVIL APPLICATION NOS. 8343/2022 AND 8344/2022

3. This Court had to issue a bailable warrant to secure the presence of Shri. Dhananjay Maruti Godase and his co-operation in this matter. The record indicates that, because of his laxity and on account of ignoring the notice of this Court, he had not appeared before the Court until the bailable warrant was issued. He has tendered an unconditional apology vide Civil Application No.8344/2022 and has stated that the empanelled lawyer had ignored the proceedings. Similarly, the earlier Executive Engineer Shri. Anil Nimbhore was to implement the directions of this Court. He has been transferred and Shri. Godase has joined in his place on 14/08/2020. The Court notice under the Contempt of Courts Act was issued in the name of Shri. Anil Motilal Nimbhore and not in the name of Dhananjay Maruti Godase, since Shri Dhananjay Godase was not added as respondent No.4 in place of Shri. Anil Nimbhore.

(3)

4. Since a genuine cause is put forth, Civil Application No.8344/2022 is allowed and the order dated 10/03/2022 stands recalled.

5. Consequentially, Civil Application No.8343/2020, filed by Shri. Anil Nimbhore stands disposed off.

**(ARUN R. PEDNEKER, J.)**

**(RAVINDRA V. GHUGE, J.)**

sjk