

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

**CONTEMPT PETITION NO. 378 OF 2022
IN WRIT PETITION NO. 1407 OF 2021**

Prabhu Tukaram Pansambal
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Ms. Sunita G. Sonawane, Advocate for the Petitioners.

Mr. S. B. Yawalkar, AGP for Respondents-State.

**CORAM : RAVINDRA V. GHUGE &
 ANIL L. PANSARE, JJ.**

DATED : 13th JULY, 2022.

PER COURT:-

1. We have heard the learned advocate for the petitioners and the learned A.G.P

2. By our order dated 25.01.2021, we had directed the petitioners to point out the properties of respondent No. 4 against which the revenue recovery certificate was to be executed. The revenue recovery certificate with reference to the gratuity amounts of these petitioners has been issued. It is only that the properties are to be identified so as to execute the revenue recovery certificate.

3. We find from the pleadings in the contempt petition that there is no whisper as to which were the properties that the petitioners identified and conveyed to respondent Nos. 2 and 3 so as to execute the revenue recovery certificate.

4. In view of the above, we do not find that respondent Nos. 2 and 3 can be said to have committed a wilful, deliberate and intentional disobedience of the order.

5. As such, this petition is disposed off. Let the petitioners approach respondent Nos. 2 and 3 and tender the list of properties of respondent No. 4, in writing. If this is done, respondent Nos. 2 and 3 shall initiate steps expeditiously as per the procedure applicable for executing the revenue recovery certificate against the identified properties of respondent No. 4. We also direct respondent No. 2 – District Collector, Ahmednagar to independently verify the properties of respondent No. 4, since it is a Co-operative Sugar Factory and execute the revenue recovery certificate within three months.

(ANIL L. PANSARE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

PS.B.