

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 395 OF 2022
IN
WRIT PETITION NO. 9003 OF 2019

Baban Janaji Pokharkar through heirs
Eknath Baban Pokharkar. ... Petitioner.
V/s.
The Collector of Pune and others. ... Respondents.

WITH
CONTEMPT PETITION NO. 396 OF 2022
IN
WRIT PETITION NO. 12903 OF 2015

Deoram Gangaram Pokharkar. ... Petitioner.
V/s.
The Collector of Pune and others. ... Respondents.

Ms.Shakuntala S. Wadekar for the Petitioners.
Mr.V.S.Gokhale, 'B' Panel Counsel for the Respondent- State.

SANJAY
KASHINATH
NANOSKAR

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SANJAY KASHINATH
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CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.

DATE : 6 September 2022.

P.C. :

In Contempt Petition No.395/2022, the Petitioner has alleged that the Respondents have committed contempt of the order dated 20 August 2019 passed by the Division Bench in Writ Petition No.9003/2019. In Contempt Petition No.396/2022, the Petitioner has alleged that the Respondents have committed contempt of the

order dated 17 January 2017 passed by the Division Bench in Writ Petition No.12903/2015.

2. By the orders of which contempt is alleged, the Respondents were directed to examine the cases of the Petitioners to ascertain whether they are project affected persons and the Petitioners were directed to appear before the Authority along with representation. The Respondents were directed to examine the documents produced by the Petitioners and it was further directed that if the Deputy Collector (Resettlement) is satisfied as regards the Petitioners claims, then necessary orders be passed. The contempt petitions were filed alleging contempt or non-compliance of the aforesaid orders. Reply affidavit is filed by the District Resettlement Officer (Rehabilitation), Pune stating that the orders have been complied with and, in fact, the claims of the Petitioners have been recognized and appropriate directions have been given.

3. The learned counsel for the Petitioners states that the Petitioners are not contactable. The reply-affidavit is filed in July 2022. There is no reason to disbelieve the statement made by the District Resettlement Officer (Rehabilitation) on oath, which we accept. Perhaps the Petitioners are no longer interested and that may be the reason why they are not contacting the learned counsel for the Petitioner.

4. In view of the statement made by the Respondent, we dispose of these contempt petitions.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)