

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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Date: 2022.12.09
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**CONTEMPT PETITION NO.766 OF 2022
IN
WRIT PETITION NO.5459 OF 2022**

Late Sakharam Bhagoji Kolekar

Through his legal heir

Raghunath Sakharam Kolekar

.. Petitioner

Versus

Dr.Rajesh B.Deshmukh,

The Collector of Pune & Ors.

.. Respondents

Mr.S.A. Sawant a/w Mr.A.P. Deshmukh and Mr.Digvijay Palande for the petitioner.

Ms.Kavita N.Solunke, AGP for the respondents-State.

Dr.Sunil D. Shelke, Tahasildar, Rehabilitation present.

**CORAM : R.D. DHANUKA &
M.M. SATHAYE, JJ.**

DATE : 7th December 2022

P.C.:-

. Learned counsel for the petitioner tenders a copy of the letter dated 9th November 2022 from the Desk Officer, State Government to the Collector and Deputy Director (Rehabilitation), Pune. Copy of the said letter is taken on record.

2. The petitioner has alleged violation of the order dated 24th March 2022 passed by this Court in Writ Petition (St.) No.5459 of 2022 filed by predecessor of the petitioner. He states that his client has already paid requisite amount required for the allotment of the alternate land.

3. Learned counsel for the petitioner invited our attention to the land identified by the petitioner in paragraph 12 of the letter dated 29th March 2022 addressed by the petitioner to the Collector of Pune and two others.

4. Learned AGP, on instructions from Dr.Sunil D. Shelke, Tahasildar, Rehabilitation who is present in Court, seeks time to verify the correctness of the statement made by the learned counsel for the petitioner whether the land identified by the petitioner is available or not and whether the petitioner is eligible to get the said land identified by the petitioner within one week from today.

5. Upon receipt of communication, if any, stating that the petitioner is not eligible to get that land or the said land is not available as on today, the petitioner shall send list of identified few other lands which are available according to the petitioner.

6. Upon receipt of the list of the identified lands from the petitioner, the respondents to allot permanent alternate land to the petitioner within six weeks from the date of receipt of list of such identified land subject to availability and place the petitioner in possession of the said land without fail.

7. The petitioner would be at liberty to attend the office of the respondent no.3-the District Resettlement Officer on the 7th day from today to collect the letter to the effect whether the said land is available or not for taking further course of action.

8. Contempt petition is disposed off in aforesaid terms. No order as to costs. Parties to act on the authenticated copy of this order.

9. Place the matter on board under the caption of 'Reporting Compliance' on 2nd February 2023.

M.M. SATHAYE, J.

R.D. DHANUKA, J.