

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 747 OF 2022**

Suryakant Manohar Gundal

....Petitioner

Versus

Uttam Patil, the Deputy Collector (Rehabilitation)
and ors.

....Respondents

Mr. Nitin Deshpande, Advocate for the Petitioner.
Mr. A. I. Patel, Additional Government Pleader with Mr. Atul P.
Vanarase, AGP for Respondent - State

**CORAM : R. D. DHANUKA &
S. G. DIGE, JJ.**

DATE : 30th NOVEMBER, 2022.

P.C. :

1. Mr. Deshpande, learned counsel for the petitioner, seeks leave to amend the prayer clause (A) of the petition so as to correct the date of the judgment and order dated 2nd September, 2013 as "25th January, 2019". Leave to amend is granted. Necessary amendment to be carried out forthwith. Re-verification is dispensed with. Copy of the amended petition be served upon the learned AGP.

2. The petitioner, by way of the present petition, seeks an

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initiation of action of contempt under the provisions of Contempt of Courts Act, 1971 against the respondents for willful disobedience of the judgment and order dated 25th September, 2019 passed by this Court in writ petition No.7803 of 2013.

3. Mr. Deshpande, learned counsel for the petitioner, stated that he is ready and willing to appear before the District Resettlement Officer and to produce all the relevant documents in support of his claim for allotment of the land under the provisions of Maharashtra Project Affected Persons Rehabilitation Act, 1999 (for short the "Resettlement Act") and the said District Resettlement Officer be directed to pass the order expeditiously. The statement is accepted.

4. Learned AGP, on instructions, stated that the representation of the petitioner will be considered within four weeks from the date of hearing that would be granted to the petitioner and after complying with the requisitions, if any, by the petitioner. The statement is accepted.

5. The petitioner through its representative is directed to

remain present before the District Resettlement Officer with all the documents in support of its claim on 12th December, 2022 at 11.00 a.m.

6. The District Resettlement Officer will grant a personal hearing to the petitioner and after considering the documents that may be produced by the petitioner and after hearing his arguments, shall pass an order within four weeks from the date of granting such a personal hearing.

7. If the District Resettlement Officer seeks any further documents to be produced by the petitioner or seeks any further details, the same shall be supplied within one week from the date of requisition.

8. The order that may be passed by the District Resettlement Officer shall be communicated to the petitioner within one week from the date of passing of such order.

9. If the prayer of the petitioner for the allotment of the land is accepted, consequential reliefs shall be granted to the petitioner

within four weeks thereafter from the date of passing of such order.

10. If the representation of the petitioner is rejected, and if any adverse order is passed, the petitioner would be at liberty to file appropriate proceedings permissible in Court.

11. It is made clear that this Court has not expressed any views on merits of the representation of the petitioner. All contentions of both parties are kept open.

12. The contempt petition is disposed off in the aforesaid terms. There shall be no orders as to costs.

13. The parties to act on the authenticated copy of this order.

(S. G. DIGE, J.)

(R. D. DHANUKA, J.)