

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CONTEMPT PETITION NO. 255 OF 2018
IN
WRIT PETITION NO. 6803 OF 2013

Jagannath Jodharu Lengure and ors.
..VS..
Seema Arjunrao Ahire, Sub Divisional Officer and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri K.L. Dharmadhikari, A.G.P. for respondent no.1.
Shri A.A. Dhawas, Advocate for the respondent no.2.

CORAM : ROHIT B. DEO, J.
DATED : 14/02/2022.

Heard.

2. According to the petitioners, the Sub-Divisional Officer, Gondpipri has committed contempt of the judgment dated 13.10.2015 in Writ Petition 6803 of 2013 in rendering the order dated 28.04.2017. The factual matrix were that Vithu Mohurle was the owner of the property. He died leaving behind 6 daughters and Balu @ Pravin Shende who claims to be a beneficiary of Will on the basis of Will allegedly executed by one of the daughter of Vithu Mohurle, applied for mutation and the names of the other legal heirs were deleted from 7/12 extract.

3. This Court noted the provisions of Section 150(3) of the Maharashtra Land Revenue Code, 1966 and directed thus :

“ In view of the aforesaid provision the names of all the parties can be entered into 7/12 extract and in

the disputed cases registered by leaving it open for the parties to get the dispute regarding title over the suit property resolved by court of competent jurisdiction. The writ petition is accordingly disposed of.”

4. Perusal of the operative part of the order which according to the petitioners constitutes contempt reveals that the Sub Divisional Officer had as a fact directed the subordinate Officer to act in accordance with the directions issued by this Court.

5. In view of the death of the learned Counsel who initially appeared, notices were issued to the petitioners for engagement of Counsel.

6. While the report is that petitioner 1 has expired and petitioner 4 is not residing at the address given, petitioners 2 and 3 are duly served.

7. There is no appearance on behalf of the petitioners who are duly served.

8. In any event, I do not find that there is any deliberate disobedience of the directions issued by this Court.

9. The contempt proceedings are dropped.

JUDGE

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