

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

964 CONT. PETITION NO.738 OF 2022
IN PIL/84/2019

NARAYAN PUSHPA GRUHA NIRMAN CO OPERATIVE HOUSNIG SOCIETY
THROUGH SUNIT CHHAGANRAO KAKADE DIRECTOR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY SHRI BHUSHAN
GAGRANI AND OTHERS

...

Advocate for Petitioner : Mr. Jadhav N.L.
AGP for Respondent No. 1 : Mr. S. D. Ghayal

CORAM : **MANGESH S. PATIL &
M. M. SATHAYE, JJ.**

DATE : **17.03.2023**

PER COURT :

Heard both the sides.

2. In P.I.L. No. 84/2019 by the order dated 18.07.2019 the respondent-Collector was directed to decide the representation submitted by the petitioner within a stipulated time.

3. Pursuant to such direction, admittedly the Collector has heard them and considered their representation. The affidavit in reply *inter alia* mentions that the encroachment on a public road in front of the petitioner's society has already been removed.

4. The learned advocate Mr. Jadhav submits that the respondent-Collector being a public servant cannot take such a narrow approach particularly when the P.I.L. was adverting his attention to rampant encroachment and unauthorized construction on a public property. Even the Collector in his affidavit in reply admits the fact but has conveniently

overlooked it.

5. This being a contempt petition, in view of the compliance of the directions of this Court, we cannot indulge in any other enquiry except the due compliance.

6. The Contempt Petition is disposed of.

(M. M. SATHAYE, J.)

(MANGESH S. PATIL, J.)

mkd/-