



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.285 OF 2023

Shri. Dasharath Mahadu Korade
Since Deceased, Through LRS
Santosh Dasharath Korade ...Petitioner
Versus
The State of Maharashtra ...Respondent

WITH
CONTEMPT PETITION NO.286 OF 2023

Laxman Gangaram Kadlag Since Deceased,
Through LRS Shri Bhagwan Laxman Kadlag ...Petitioner
Versus
The State of Maharashtra ...Respondent

WITH
CONTEMPT PETITION NO.287 OF 2023

Smt. Savalabai Mahadu Kale Since Deceased,
Through LRS Smt. Indubai Mohan Rokade ...Petitioner
Versus
The State of Maharashtra ...Respondent

WITH
CONTEMPT PETITION NO.288 OF 2023

Shri. Krishna Kondaji Pawar Since Deceased,
Through LRS Hemant Krishna Pawar ...Petitioner
Versus
The State of Maharashtra ...Respondent

Mr. Sachin P. Shetye a/w. Mr. Jotiram R. Jadhav for the Petitioners.
Ms. P. J. Gavhane, AGP for the Respondent (State).

CORAM : G. S. KULKARNI,
JITENDRA JAIN, J.J.

DATE : 11th SEPTEMBER, 2023.

P.C.

. Not on board upon mentioning taken on board on production.

2. These are the contempt petitions wherein the Petitioners have alleged intentional non-compliance of the orders dated 28th November 2022 passed by the co-ordinate Bench of this Court passed on the subject writ petitions.

3. These contempt petitions were heard on the earlier occasion when the Court had issued notice to the contemnors to show cause as to why they should not be proceeded for an action to be taken against them under the Code of Civil Procedure not for willful disobedience of the orders passed by this Court.

4. Today, learned AGP submits that the orders passed by this Court stand complied inasmuch as a reasoned order has been passed rejecting the claim of the Petitioners for allotment of alternate land. In response to such contention of the learned AGP, learned counsel for the Petitioners submit that such orders passed by the Designated Officer are illegal inasmuch as no reasons whatsoever are set out in rejecting the

Petitioners' application for allotment of permanent alternate land.

5. In the present proceedings, we are only concerned with the contempt of the orders passed by this court. We cannot, hence, adjudicate on such orders passed by the Designated Officer rejecting the claim of the Petitioners. The Petitioners would be required to independently challenge such order.

6. In the aforesaid circumstances, as the orders passed by this Court stand complied, we are of the opinion that the present contempt proceedings ought not to proceed any further. The contempt notices issued by our order dated 23rd August 2023 are thus required to be dropped, however, with liberty to the Petitioners to assail the orders which are passed by the Designated Officer rejecting the Petitioners' applications for allotment of alternate land. All contentions of the parties are expressly kept open.

7. Contempt petitions are accordingly disposed of with liberty to the Petitioners as stated hereinabove. No costs.

[JITENDRA JAIN, J.]

[G. S. KULKARNI, J.]