

Vidya Amin

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

CONTEMPT PETITION NO. 304 OF 2023

Shalabai Pandurang Kule & Ors.

... Petitioners

Versus

Ashwini Sonavane – Jirange, The Deputy
Collector (Rehabilitation), Kolhapur & Ors.

... Respondents

Mr. Drupad Patil a/w. Mr. Balasaheb G. Ligade for the petitioners.
Ms. S.S. Bhende, AGP a/w. Ms. M.S. Bane for the State.

**CORAM: G. S. KULKARNI &
JITENDRA JAIN, JJ.**
DATED: 5 July, 2023

P.C.

1. Heard Mr. Patil, learned counsel for the petitioners and Ms. Bhende, learned AGP for the State.

2. This Contempt Petition is filed alleging contempt of the order dated 27 April, 2022 passed by a co-ordinate Bench of this Court. The operative directions as made by the said order reads thus:

“2. The petitioners are legal heirs of deceased Pandurang. The petitioners may make a fresh application giving reference to the earlier application. The said applications may be given to respondent nos. 2 and 3. Respondent nos. 2 and 3 shall take decision upon the said application on its own merits in accordance with law and policy preferably within four months from the date application is made. All contentions of the parties are kept open.”

3. Mr. Patil, learned counsel for the petitioners has drawn out attention to the communication dated 18 May, 2022 and 2 September, 2022, which are

steps taken by the respondents to make the allotment of lands in favour of the petitioners. These are certainly steps taken post the orders passed by this Court of which contempt is alleged. It appears that the petitioners had also submitted his preference for allotment of a particular land and on which the Deputy Collector (Resettlement), Kolhapur was to take an appropriate decision as per the order and decide the petitioners' applications dated 25 November, 2021 and 12 May, 2022 in accordance with law.

4. In the aforesaid circumstances, we are of the opinion that the contempt proceedings be not taken forward, as certainly steps are taken to comply the orders passed by this Court. Let appropriate authority take a position in accordance with law within a period of six weeks from today. All contentions are kept open.

5. Disposed of. No costs.

(JITENDRA JAIN, J.)

(G. S. KULKARNI, J.)