

Jvs.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 346 OF 2018
WITH
CIVIL APPLICATION NO. 31 OF 2019

JAYANT
VISHWANATH
SALUNKE

Digitally signed by
JAYANT VISHWANATH
SALUNKE
Date: 2023.07.17
18:30:08 +0530

Ashok Narayan Lande .. Petitioner
Versus
The State of Maharashtra & Anr. .. Respondents

WITH
PUBLIC INTEREST LITIGATION NO. 163 OF 2014

Mr. Ashok Narayan Lande .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

Dr. Uday P. Warunjikar a/w Mr. Siddharth Pilankar for Petitioner.
Mr. P. P. Kakade, Govt. Pleader a/w Mr. M. M. Pabale, AGP for
Respondent No.1.
Ms. Rachana Harpale i/by Mr. Nitin P. Deshpande for Respondent
No.2.
Ms. Rekha Panchal for Respondent No.3.
Mr. Sandeep M. Phatak for Intervener/Applicant in IA/31/2019.

CORAM: NITIN JAMDAR, ACTING CJ. &
ARIF S. DOCTOR, J.

DATE: 12 JULY 2023

P.C.:

1. We have heard the learned counsel for the parties.
2. The Contempt Petition is filed by the original Petitioner who had instituted PIL No. 163 of 2014. PIL No. 163 of 2014 was disposed of by an order dated 6 January 2017 directing the Planning

Authority to take the notices, alleging unauthorized constructions, issued to the respondent-intervener, to its logical end.

3. Reply affidavit is filed by Respondent No. 9 and the learned counsel for the Intervener has pointed out that the Planning Authority has taken the action to its logical end and passed an order against the Intervener, which is now subject matter of challenge in Writ Petition No. 7097 of 2018. That being the position, we do not find that the Respondent-Planning Authority is in breach of the order.

4. We have been further informed that the Petitioner has intervened in Writ Petition No. 7097 of 2018, whose intervention is also allowed. Keeping in mind the jurisdiction invoked, we do not find any warrant to proceed further in the Contempt Petition. The same is disposed of.

5. In view of the disposal of the Contempt Petition, the Interim Application does not survive and stands disposed of as such.

(ARIF S. DOCTOR, J.)

(ACTING CHIEF JUSTICE)