

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 126 OF 2023

Shripati Tukaram Korde (Since deceased
Through his legal heirs Balasaheb Chiman
Korde) ...Petitioner

Versus

Uttam Patil The Deputy Collector,
Rehabilitation, Pune And Others ...Respondents

Ms. Kanchan Pathak i/b. Mr. N.P. Deshpande, for Petitioner.
Mr. R.S. Pawar, AGP for State.

CORAM : R.D. DHANUKA &
GAURI GODSE, JJ.

DATED : 21st March, 2023

P.C. :

. This Contempt Petition is filed alleging that there is a breach committed by the Respondents of an Order dated 06.04.2022 passed in Writ Petition No.8654 of 2021.

2. Pursuant to the Order dated 06.04.2022 there was a notice dated 23.05.2022 issued by Respondent No.1 calling upon the Petitioner to submit certain documents. Learned counsel for the Petitioner submits that if the documents pursuant to the notice dated 28.09.2022 are not submitted by

the Petitioner, the documents will be submitted within a period of two weeks from today. Once the documents are submitted, Respondent No.1 shall comply with the directions issued by the Order dated 06.04.2022 within a period of three weeks thereafter.

3. If the decision taken by the Respondent No.1 is adverse to the Petitioner, the same will not be given effect for a period of three weeks.

4. After the decision is taken, Respondent No.1 shall communicate the decision within a period of one week from the date of the decision.

5. In the event the decision is taken by Respondent No.1 in favour of the Petitioner, consequential reliefs shall be given to the Petitioner within a period of three weeks from the date of the decision.

6. In the event the decision of Respondent No.1 is adverse to the Petitioner, the Petitioner will be at liberty to file appropriate proceedings as permissible by law.

7. In our view, no case is made out for initiating action under the provisions of the Contempt of Courts Act, 1971. With the above observations, the Contempt Petition is dismissed.

(GAURI GODSE, J.)

(R.D. DHANUKA, J.)