



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 67 OF 2022
IN
WRIT PETITION NO. 7520 OF 2021**

Ramesh Vishwanathrao Deshmukh
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Sakshi Kale, Advocate h/f Shri Ajit B. Kale, Advocate for the
Petitioners.

Shri V. K. Kotecha, A.G.P. for the Respondents/State.

Shri Shubham Kote, Advocate h/f Shri A. V. Hon, Advocate for
the Respondent Nos. 3 and 4.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 29 JANUARY 2024.**

FINAL ORDER :

. Heard both the sides. The contempt petition has been filed
in Writ Petition No. 7520 of 2021. Following were the directions
contained in the order dated 09 July 2021.

2. In case, the recovery certificate in favour of the
petitioners is still in force, then the Respondent No.2
and/or the competent authority shall take expeditious steps
to execute the said certificate ofcourse subject to priority
charge of any creditor and in case there is no other
impediment. The petitioner shall also demonstrate the
properties of Respondent Nos.3 and 4 against whom

recovery certificate is issued to enable the authority to take effective steps for recovery of the amount as detailed in the recovery certificate. The steps shall be taken expeditiously, preferably within six months.

2. The contempt petition has been filed for alleged disobedience of the aforementioned directions, which merely require steps to be taken for making recovery pursuant to the revenue recovery certificate.

3. It appears that, already steps have been taken by the Revenue Officials and in fact pursuant to some settlement/compromise five of the persons similarly placed have already been paid as indicated in the communication dated 22.01.2022 issued to the Tahsildar, Rahata. It expressly mentions that even the other employees would be paid upon the availability of the funds. This is the correspondence addressed by the Managing Director, who was the respondent No. 2.

4. There is also a communication indicating that the Tahsildar has taken steps for making the recoveries independently.

5. In the light of the above, it would be appropriate that the petitioners approach the Tahsildar Rahata and claim the money which obviously would depend upon the assets released by the Tahsildar and depending upon the priority of the claims as indicated in the order passed in the writ petition.

6. At this juncture, the learned advocate for the petitioners adverts our attention to the order dated 05 May 2022, whereby the respondent Nos. 3 and 4 were directed to pay the arrears of the petitioners in three installments.

7. The learned advocate for the respondent Nos. 3 and 4 tenders across the bar the documents to demonstrate that three installments payable to the petitioners were paid on 15 May 2022, 18 July 2022 and 17 October 2022. This communication together with particulars, is taken on record and collectively marked as 'X'.

8. The contempt petition is disposed of. If something has remained to be recovered, it would always be open to the petitioners to approach to the Tahsildar who is undertaking the process of recovery, pursuant to the recovery certificate.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/Jan. 24