



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

933 CONTEMPT PETITION NO.902 OF 2024

Basudev Matoliram Agrawal,  
Age 46 yrs., Occ. Business,  
R/o Kranti Nagar, Karegaon Road,  
Parbhani.

... Petitioner

... **Versus** ...

- 1 The State of Maharashtra,  
Through its Secretary,  
Revenue and Forest Department,  
Mantralaya, Mumbai.
- 2 The Collector,  
Hingoli, Dist. Hingoli.
- 3 The Sub Divisional Officer,  
Basmath, Tq. Basmath,  
Dist. Hingoli.
- 4 The Tahsildar,  
Tahsil Office, Basmath,  
Tq. Basmath, Dist. Hingoli.

... Respondents

...

Mr. R.W. Bagul, Advocate for petitioner

Mr. S.A. Gaikwad, APP for State

...

**CORAM :** SMT. VIBHA KANKANWADI &  
ROHIT W. JOSHI, JJ.

**DATE :** 21<sup>st</sup> NOVEMBER, 2024

**ORDER :** (PER : SMT. VIBHA KANKANWADI, J. )

1           The petitioner alleges that respondents have committed disobedience of the order passed by this Court in Writ Petition No.2318 of 2022 decided on 13.04.2022. In the said writ petition it was observed that copy of show cause notice shall be served upon the petitioner within one week from the date of issuance of notice and the petitioner should reply the same within two weeks thereafter. The Sub Divisional Officer shall decide the matter within a period of six weeks thereafter and then that order be communicated to the petitioner within one week from the date of passing of such order. The petitioner was also directed to deposit the amount of Rs.1,00,000/- in the office of Tahsildar, which should be subject to the outcome of the order passed by the Sub Divisional Officer. Petitioner himself has produced on record copy of the show cause notice dated 02.05.2022. Though it was not within one week as directed in the order dated 13.04.2022; yet, it is to be noted that in the said notice itself it is stated that the writ of this Court was received by the Sub Divisional Order on 25.04.2022. Therefore, it can be said that there was no willful disobedience even at that stage. Thereafter, as per the order itself the petitioner was directed to give reply within a period of two weeks from the receipt of the

said show cause notice. The petitioner has not stated exactly when he received the notice, but it is to be noted that he filed the reply on 27.06.2022. There appears to be correction in the date when the said reply was given. Then the Sub Divisional Officer by communication dated 30.06.2022 had informed the petitioner that he has taken decision on 30.06.2022, which is in fact, within the time frame given by this Court i.e. six weeks from the reply of the petitioner. Then it appears that he had preferred the appeal challenging the decision of the Sub Divisional Officer, which came to be allowed partially and it appears that Tahsildar was directed to decide the matter. When the Sub Divisional Officer was given directions in the petition to decide the matter in a particular time and it has been decided then it was challenged by the petitioner, there is no question of disobedience of the Judgment and order dated 13.04.2022. The petition deserves to be dismissed at the threshold. Hence, the contempt petition stands dismissed.

( ROHIT W. JOSHI, J. )

( SMT. VIBHA KANKANWADI, J. )

agd