

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CONTEMPT PETITION NO. 441 OF 2023  
IN  
WRIT PETITION NO.1730 OF 2018

Balkrushna Ramchandra Gavali ...Petitioner  
Versus  
The State of Maharashtra and Ors. ...Respondents

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Mr. Sachin M. Bhavar i/b. Snehal Jadhav, for the Petitioner.  
Mr. S.B. Kalel, AGP, for the Respondent- State.

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CORAM : G. S. KULKARNI &  
ADVAIT M. SETHNA, JJ.

DATE : 22 NOVEMBER 2024

**P.C.:**

1. We have heard learned counsel for the petitioner on this Contempt Petition. The contempt alleged is of an order dated 26 April 2019 passed by the co-ordinate Bench of this Court in Writ Petition No.1730 of 2018 filed by the petitioner. Such Writ Petition came to be disposed of in terms of following operative order :-

“6. *The proceedings of the award impugned in the petition declared on 17<sup>th</sup> May, 2006 shall be deemed to have lapsed so far as it relates to the Petitioner and the appropriate government if it chooses, shall initiate the proceedings of such acquisition afresh in accordance with the provisions of the Act of 2013.*”

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2. There are two affidavits placed on record by the respondents which indicate that the respondents have chosen to initiate acquisition proceedings as permitted by the Court in paragraph 6 of the order (supra) and quantum of compensation was also arrived at.

3. In this view of the matter, there cannot be any intentional disobedience of the order, when the respondents have already chosen to acquire the land. In the event, the petitioner is aggrieved by any action in regard to the fresh acquisition and/or any quantum of compensation being determined, the petitioner is free to pursue its remedies as available in law. In the event, such remedies were intended to be pursued, all contentions of the parties are kept open.

4. Contempt Petition is not being entertained and it is disposed of. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]