

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 20 OF 2024

Kondiba Raoji Yeole Since deceased through ... Petitioner
His Legal Heir Maruti Kondiba Yeole

Versus

The Deputy Collector, (Rehabilitation) Pune & Ors. ... Respondents

Mr. Abhishek Nagode, for the Petitioner.
Mrs. P. J. Gavhane, AGP for State.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 18 January, 2024

P.C.

1. This Contempt Petition is filed alleging that the respondents have breached the order dated 6 December 2022 passed by this Court on Writ Petition No. 14389 of 2022. We have perused such order, paragraph Nos. 6 & 7 of which reads thus:

“6. If the application filed by the petitioner is allowed in favour of the petitioner, consequential relief as permissible in law shall be granted within four weeks thereafter. If the application filed by the petitioner is rejected by respondent no. 1 for any reason, the petitioner would be at liberty to file proceedings permissible in law. This Court has not expressed any views on merit of the application of the petitioner. All the contentions of the parties are kept open.

7. The Writ Petition is disposed off in the aforesaid terms. Rule is made absolute. No order as to costs. Parties to act on the authenticated copy of this order.”

2. Thus, from perusal of the above observations it is clear that it was not a blanket direction to the respondents, there was an obligation on the petitioner to submit documents and on submission of these documents the respondent authority was to decide the claim of the petitioner.

3. In the aforesaid circumstances, we are of the clear opinion that there is no intentional disobedience of the order. Be that as it may, considering the nature of the proceedings, we permit the petitioner to submit appropriate documents to the concerned authority within a period of two weeks from today. If, the same are submitted, the concerned authority shall take further appropriate action as per the directions of this Court in the order dated 6 December 2022 in Writ Petition No. 14389 of 2022.

4. All contentions of the petitioner are expressly kept open.

5. Disposed of in the above terms. No costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)