

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 159 OF 2024
IN
WRIT PETITION NO. 616 OF 2016

Subhash Atmaramji Sarode Deceased Through
Legal Heirs ...Petitioners

Versus

The State Of Maharashtra and Ors. ...Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w. Vinayak R. Kumbhar, Rajendra B. Khaire and Aniket S. Phapale, for Petitioners.
Ms.Pooja Joshi-Deshpande, AGP for Respondent No.1.

**CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.**

DATE : 6 MARCH 2024

P.C.:

. Writ Petition No. 616 of 2016 filed by the Petitioners was disposed of on 26 April 2023 by the following order:

“3 In light of that and for the reasons recorded in the judgment and order dated 27th March 2023 in Writ Petition No. 14575 of 2018 with connected Writ Petitions, the present Writ Petition is also disposed of on the same terms which are reproduced as under:

(i) The impugned order to the extent of recovery is quashed and set aside.

(ii) The order with regard to re-pay fixation done is not interfered with.

(iii) The amount, if recovered from the Petitioners, shall be refunded to them within four months.”

2 Learned counsel for the Petitioners states that clause (iii) of the order dated 26 April 2023 is not complied with, by the Zilla Parishad.

3. Leave is granted to join Zilla Parishad, Thane as party Respondent. Amendment to be carried out during the course of the day.

4. Issue notice before admission to the added Respondent, returnable on **23 April 2024** so that if the order as above is not complied with, the remedial action can be taken by the added Respondent, failing which, Court may proceed under the contempt jurisdiction.

5. In addition to Court notice, Petitioners are permitted to serve private notice through Registered Post A.D. / Speed Post / E-mail and file affidavit of service before the returnable date.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)