

Mohite

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 327 OF 2023

IN

WRIT PETITION NO. 9367 OF 2021

Prabhakar Govind Mundale

..Petitioner

Vs.

The Chief Secretary For
Revenue And Rehabilitation

Department For Project Affected Persons

..Respondent

WITH

INTERIM APPLICATION NO.14056 OF 2024

IN

CONTEMPT PETITION NO. 327 OF 2023

Mahadeo Shrirang Kadam
The Executive Engineer
Konkan Irrigation Development
Corporation KIDC

..Applicant

Vs.

Prabhakar Govind Mundale

..Respondent

WITH

INTERIM APPLICATION NO.14055 OF 2024

IN

CONTEMPT PETITION NO. 327 OF 2023

Shankar Barge
The Additional Collector Rehabilitation
Collector Office

..Applicant

Vs.

Prabhakar Govind Mundale

..Respondent

WITH

INTERIM APPLICATION NO.14054 OF 2024

IN

CONTEMPT PETITION NO. 327 OF 2023

K. Manju Laxmi IAS
The Collector and Deputy Director For
Rehabilitation of Project Affected Persons

..Applicant

Vs.
Prabhakar Govind Mundale ..Respondent

WITH
CONTEMPT PETITION NO. 328 OF 2023

Eliza Paolu Dsouza ..Petitioner

Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

WITH
INTERIM APPLICATION (ST.) NO.30011 OF 2024
IN
CONTEMPT PETITION NO. 328 OF 2023

Mahadeo Shrirang Kadam
The Executive Engineer Konkan
Irrigation Development Corporation KIDC ..Applicant

Vs.
Eliza Paolu D'souza ..Respondent

WITH
CONTEMPT PETITION NO. 329 OF 2023

Subhash Mahadev Chavan ..Petitioner

Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

WITH
CONTEMPT PETITION NO. 334 OF 2023

Louis Bastav Dsouza ..Petitioner

Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

WITH
INTERIM APPLICATION (ST.) NO.30046 OF 2024
IN
CONTEMPT PETITION NO. 334 OF 2023

K. Manju Laxmi IAS
The Collector and Deputy Director for
Rehabilitation of Project Affected Persons ..Petitioner
Vs.
Louis Bastiyav Dsouza ..Respondent

WITH
INTERIM APPLICATION (ST.) NO.30041 OF 2024
IN
CONTEMPT PETITION NO. 334 OF 2023

Mahadeo Shrirang Kadam
The Executive Engineer Konkan
Irrigation Development Corporation KIDC ..Petitioner
Vs.
Louis Bastiyav Dsouza ..Respondent

WITH
INTERIM APPLICATION (ST.) NO.30038 OF 2024
IN
CONTEMPT PETITION NO. 334 OF 2023

Vijaykumar Baliram Thorat
The Superintending Engineer
Konkan Irrigation Development
Corporation ..Petitioner
Vs.
Louis Bastiyav Dsouza ..Respondent

WITH
INTERIM APPLICATION (ST.) NO.30033 OF 2024
IN
CONTEMPT PETITION NO. 334 OF 2023

Shankar Barge
The Additional Collector Rehabilitation
Collector Office ..Petitioner
Vs.
Louis Bastiyav Dsouza ..Respondent

WITH
CONTEMPT PETITION NO. 335 OF 2023

Machhindranath Mahadev Gosavi ..Petitioner
Vs.

The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

**WITH
INTERIM APPLICATION NO.14062 OF 2024
IN
CONTEMPT PETITION NO. 335 OF 2023**

Mahadeo Shrirang Kadam
The Executive Engineer
Konkan Irrigation Development
Corporation KIDC ..Petitioner
Vs.
Machhindranath Mahadev Gosavi ..Respondent

**WITH
INTERIM APPLICATION NO.14061 OF 2024
IN
CONTEMPT PETITION NO. 335 OF 2023**

K. Manju Laxmi IAS
The Collector and Deputy Director For
Rehabilitation of Project Affected Persons ..Petitioner
Vs.
Machhindranath Mahadev Gosavi ..Respondent

**WITH
INTERIM APPLICATION NO.14059 OF 2024
IN
CONTEMPT PETITION NO. 335 OF 2023**

Vijaykumar Baliram Thorat
The Superintending Engineer
Konkan Irrigation Development
Corporation ..Petitioner
Vs.
Machhindranath Mahadev Gosavi ..Respondent

**WITH
CONTEMPT PETITION NO. 336 OF 2023**

Lahu Anant Palambe ..Petitioner
Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

**WITH
CONTEMPT PETITION NO. 337 OF 2023**

Hanuman Shivaram Shinde ..Petitioner
Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

**WITH
CONTEMPT PETITION NO. 338 OF 2023**

Manvel Motes Dsouza ..Petitioner
Vs.
The Chief Secretary For
Revenue And Rehabilitation
Department For Project Affected Persons ..Respondent

Mr. Pradeep Sanchetti (Sr.Counsel) a/w Mr.Sanjeev Sawant, Mr.B. K. Barve, Mr.Sandeep Barve, Ms.Sonali Patil i/b M/s.B. K. Barve & Co., for the Petitioner.

Mr.Kedar Dighe, Addl.G.P. with Mr.S.H.Kankal, A.G.P. for State.

**CORAM : G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.**

DATE : 18TH OCTOBER, 2024

P.C.:

1. We have heard Mr.Sancheti, learned Senior Counsel for the Petitioner along with Mr.Sanjeev Sawant, as also Mr.Dighe and Mr.Kankal, learned Government Pleaders, on the present proceeding, which in our view, involves a serious issue in regard to the contempt being alleged against the high officials of the State Government.

2. In pursuance of our order dated 10th October 2024, Dr.Soniya Sethi, Principal Secretary (Relief & Rehabilitation Department), Mantralaya,

Mumbai has filed an affidavit dated 15th October 2024. We have perused such affidavit. We have also perused the order dated 10th November 2022 passed by the Division Bench of this Court of which contempt is alleged in these Contempt Petitions. We have also been taken through the relevant provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999.

3. Having considered the issues which would arise for consideration, we are of the opinion that it would be in the interest of justice that, before we proceed with these Contempt Petitions, it would be appropriate that the State Government is permitted to assert its contentions on the Review Petitions filed by the State Government, which are now stated to be assigned to a Division Bench under the orders passed by the Hon'ble the Chief Justice.

4. Awaiting the adjudication on such Review Petitions, we adjourn the proceedings with liberty to the parties to apply after the Review Petitions are decided.

5. For the present, we adjourn the proceedings to 29th November 2024.

6. The learned Additional Government Pleader states that he would move the Review Petitions before the appropriate bench. The Registry to do the needful.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)