

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL CONTEMPT PETITION NO. 2 OF 2024

Suneela Anand Gupte & Anr. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents

Mr. Niranjan Mogre for the Petitioner

Ms. P. P. Shinde, A.P.P for the Respondent-State

Ms. Kanchan Pathak i/b Mr. Nitin Deshpande for the
Respondent No.2

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.
MONDAY, 11th NOVEMBER 2024**

P.C :

1 On 21st October 2024, the following order was
passed :

*“1 Despite several orders directing that the
measurements be carried out in the presence of the
petitioner and the report be handed over to the
petitioner, the authorities have not done the same so far,
for reasons best known to them. This is a contempt
petition. Instead of complying with the order, the
authorities are acting lackadaisically and are taking their*

own sweet time to comply with the orders passed by this Court. We are not happy with the manner in which the authorities are carrying out the work. There is also prima facie non compliance of earlier orders.

2 *When the same was pointed out to Mr. Saste, he, on instructions of Mr. Rohan Deore, Revenue Assistant, who is present in Court, states that the measurement is done, however, the report has not been handed over to the petitioner and that the same will be done today, during the course of the day. Statement accepted. He further states that the fencing work will be done latest by 22nd October 2024. Statement accepted.*

3 *Learned A.P.P has tendered a report dated 20th October 2024. The same is taken on record.*

4 *We make it clear that no excuse i.e. election duty has been assigned to the officer, will be considered by us, considering that this is a contempt petition and also having regard to the fact that several opportunities have been given to the respondent, to act.*

5 *We make it clear that if the compliance is not done, we will be constrained to pass appropriate orders in the contempt petition.*

6 *Stand over to 23rd November 2024. The alleged contemnor i.e. the respondent No.3 to remain present in Court, on the next date.”*

2 Learned A.P.P has tendered a report to show that
barbed wiring has been done.

3 Learned counsel for the petitioner has produced some
photographs for our perusal to show that the barbed wiring done
is only an eye-wash and in a sense, is not to protect the property.

4 Considering our earlier orders, we are now
constrained to request the Collector, Pune District to appear
before us through Video-Conferencing, on 13th November 2024.

5 Learned A.P.P to communicate this order to the
Collector, Pune District.

6 Stand over to 13th November 2024.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.