

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO.32 OF 2023
IN
WRIT PETITION NO.5313 OF 2022

Rolland Stanislaus Britto

..Petitioner

Versus

The State of Maharashtra & Ors

..Respondents

***Mr.I. K. Tripathi i/b C.K. Tripathi, Advocates for the
Petitioner.***

Mr.Vikrant Parshurami, AGP, for the State.

Mr.Sagar Patil, Advocates for the MCGM.

***Mr.Amol A. Bodkhe, Sub-Engineer R/North Ward is
present in Court.***

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : MARCH 11, 2024

P.C.

The above matter is placed on Board today for reporting compliance.

2 By order dated 15th December, 2022, Respondent Nos. 2 to 4 were directed to decide the applications of the Petitioners, namely, 27th March, 2019, 4th August, 2020 and 6th September, 2020 after giving the 72 hours notice to the Petitioner and also

giving him a hearing. Since, according to the Petitioner, Respondent Nos.2 to 4 did not comply with the aforesaid directions, the Petitioner filed the above Contempt Petition.

3 In the above Contempt Petition, there have been several orders passed starting from 26th September, 2023. Finally, on 22nd January, 2024, we directed Respondent Nos.2 to 4 to decide the applications of the Petitioner within a period of four weeks from the said date. Since the aforesaid timeline was not adhered to, an extension of two weeks was also granted by order dated 20th February, 2024. It now transpires that MCGM authorities have passed an order dated 5th March, 2024 deciding the said applications of the Petitioner.

4 The learned counsel appearing on behalf of the Petitioner fairly submitted that though no hearing has been given before the order of 5th March, 2024 was passed, he would independently challenge the order of 5th March, 2024 and the Contempt Petition can be disposed of.

5 In these circumstances, the above Contempt Petition is disposed of leaving it open to the Petitioner to raise all grounds available in law to challenge the order dated 5th March, 2024.

6 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]