

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.69 OF 2024

IN

WRIT PETITION NO.2742 OF 2024

Ratilal Madan Waja

...Petitioner

Versus

Rajesh Kumar, The Additional Secretary,
(Revenue Department),
Government of Maharashtra & Ors.

...Respondents

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Mr. Abbas Zaidy a/w Aditya A. Kavale i/b Zohair & Co., for the
Petitioner.

Mr. Abhay L. Patki, Addl. GP a/w Mr. Himanshu Takke, AGP, for the
Respondent No.1.

Mr. Purshottam Thorat, Naib Tahsildar, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 17 DECEMBER 2024

P.C.:

1. The present Contempt Petition has been filed alleging
disobedience of the Judgment and Order dated 22nd December 2023
passed in Writ Petition No.2742 of 2024.

2. This Court by earlier Order dated 23rd September 2024 has
recorded the statement of Mr. Patki, learned Additional GP made on
behalf of the Respondent – State that the directions as contained in
Paragraph No.12 of the said Order dated 22nd December 2023 have
been complied with and time was sought to comply with the directions

as contained in Paragraph No.13 of the said Order dated 22nd December 2023.

3. Mr. Patki, learned Additional GP states that the final Order has been passed on 13th December 2024 and accordingly direction as contained in Paragraph No.13 of the said Order has also been complied with.

4. Mr. Abbas Zaidy, learned Counsel for the Petitioner states that the final Order passed on 13th December 2024 is not strictly in accordance with the said Order dated 22nd December 2023. He states that in the last Paragraph of said Order dated 13th December 2024, it is stated that the said Order is subject to Notification dated 8th March 2019. However, Mr. Patki, learned Additional GP, on instructions, states that the said last Paragraph is added in all the Orders by which Class – II Occupancies are converted into Class – I Occupancies. Thus, the Petitioner, if aggrieved by said Order dated 13th December 2024, can challenge the same in appropriate proceedings, however the position on record shows that the said Order dated 22nd December 2023 is complied with.

5. As the said Order is complied with and Mr. Rajendra Shankar Kshirsagar, the Collector, Mumbai Suburban District has tendered unconditional apology, no further Orders are required in the Contempt Petition. The said apology is accepted.

6. Accordingly, the Contempt Petition is disposed of.

[MADHAV J. JAMDAR, J.]