



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CONTEMPT PETITION NO.18 OF 2022
IN
WRIT PETITION NO.2948 OF 2019 (D)

(Jugal Kishor S/o Dinnathji Zanvar Vs. The State of Maharashtra thr. its Secretary,
Revenue and Forest Department, Mumbai and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. J. Thakkar, Advocate for Petitioner.
Mr. S. S. Jachak, Addl. GP for Respondent No.1/State.

CORAM: ANIL L. PANSARE, J.

DATE: 16th JULY, 2024.

Heard.

2. The contempt jurisdiction is invoked to contend that order dated 06.03.2020 passed by this Court in Writ Petition No.2948/2019 has been not complied.

3. One will have to understand that when the party by invokes contempt jurisdiction, there will be an element of disobedience of the order.

4. On 05.03.2022, this Court has directed the Additional Collector, Buldhana to consider the rival claims made by the petitioner and the respondent No.8 – Jaiprakash Jugalkishor Taori. The learned AGP has invited my attention to the order dated 30.09.2020 passed by the Additional Collector. The order pertains to the mutation

entry as regards the land admeasuring 0.18 R in Survey No.46. This land is part of Survey No.46. The Additional Collector has found that the petitioner and respondent No.8 are both claiming the right over this portion of land. The Additional Collector has opined that when two persons are claiming ownership over the land, mutation entry cannot be effected until their rights are crystallized in the proceeding filed before the competent Civil Court. The learned AGP therefore, rightly submits that the Additional Collector has considered the rival claims made by the petitioner and respondent No.8 and passed the order.

5. This is, therefore, not a case where one can even argue that the Additional Collector, Buldhana has willfully disobeyed the order passed by this Court.

6. The contempt petition is dismissed.

(ANIL L. PANSARE, J.)