



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

CONTEMPT PETITION NO.01 OF 2024 IN
WRIT PETITION NO.5174 OF 2015 (D)

Subhash S/o Suryabhan Gawande .Vs. The State of Mah., and others through Talathi

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms R.S. Tiwari, Advocate for petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 16/02/2024

1. It is the case of the petitioner that, this Court in Writ Petition No.5174 of 2015 while passing the judgment on 18.02.2020, has observed thus:

“5. In so far as, the plea regarding Suryabhan having right in the share of Gangubai to the balance land of Survey No.85/2 (Gat No.316) admeasuring 0.40 HR, situated at Belura is concerned, any claim in this regard, will have to be agitated either before the concerned Tahsildar under Section 85 of M.L.R. Code which empowers the Tahsildar to effect partition of the agriculture land or before the competent Civil Court. In that light of the matter, there is no merits in the petition, and it is accordingly dismissed. Rule stands discharged. In the circumstances, there shall be no order as to costs.”

2. It is submitted that, in contravention of this observation, the respondents Talathi, Circle Officer and Tahsildar recorded certain names in the revenue record.

3. After going through the paragraph 5 of the judgment of this Court there is no direction issued by this Court to any of the above referred respondents, prohibiting them to record any name in the revenue record in respect of the land in question.

4. In absence of any such direction, it cannot be said that, there is any breach of disobedience of any order or direction of this Court.

Hence, the contempt petition is **dismissed**.

JUDGE