

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 89 OF 2016
IN WP/57/2013**

**GOVIND SHANKAR DHOLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. V.D. Salunke, Advocate for the petitioner.
Mr. A.S. Shinde, A.G.P. for respondent-State.
Mr. Amol Jagtap, Advocate for respondent No.4.

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**CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 19 AUGUST 2025

Per Court :

1. By order dated 30.10.2014, this Court directed the Divisional Commissioner and State Government to take appropriate decision on the proposal of petitioner for allotment of plot, which was sent to the Collector, as expeditiously as possible and preferably within a period of four months from the date of the order. Pursuant to the order, a Exchange Deed was executed by respondents with the petitioner on 14.12.2020 thereby allotting 193.40 sq. meter plot on the southern corner of City Survey No. 443 owned by Municipal Council, Tuljapur. Though it is stated in the said Exchange Deed that possession is given to the petitioner, since there were encroachments on the said plot, no factual possession, according to petitioner,

was handed over to him. Respondents also admit the said position. Thereafter this Court granted one week's time on 12.08.2025 to the respondents for taking instructions from the Divisional Commissioner.

2. Today, learned A.G.P. has placed on record copy of "Taba Pawati/possession receipt" dated 13.08.2025 addressed by the Chief Officer, Municipal Council, Tuljapur to the petitioner, stating that the encroachment on the plot allotted to the petitioner is removed and the plot is handed over to the petitioner.

It is pertinent to note that the petitioner has to execute possession receipt and not the Chief Officer. It appears that only because last chance was granted by this Court, the respondents have hurriedly taken action of removing the encroachment and tried to show that possession is handed over to the petitioner.

3. Learned advocate for the petitioner makes a grievance that after almost 10 years the respondents are trying to show that the order is implemented. He submits that his client is present in the Court and on his instructions he submits that the said plot is not levelled. Learned advocate for the Municipal Council makes a statement that today the land is

levelled. We deprecate the approach of the respondents in implementing order of this Court belatedly in the present case, after a delay of 10 years.

4. Respondents shall hand over vacant possession of the plot to the petitioner by demarcating the plot allotted to the petitioner on 25.08.2025 and the petitioner shall execute possession receipt of the same. With these directions, contempt petition stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

(NITIN B. SURYAWANSHI)
JUDGE