



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

**31 CONT. PETITION NO. 244 OF 2025
IN WP/6814/2014**

**MURLIDHAR JASKARAN PARIKH
VERSUS
RAMNATH GANPATRAO KHOD**

....

Mr. H. V. Tungar, Advocate for the Petitioner

Mr. A.R. Tapse h/f Mr. P. D. Suryawanshi, Advocate for Respondent

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 13.10.2025

PER COURT :-

1. Heard Shri Tungar, the learned counsel representing the petitioner as also Shri Tapse, the learned counsel holding for Shri P. D. Suryawanshi, representing the respondent.

2. Shri Tungar, learned counsel submits that the subject matter of the suit property is a Municipal House No.3-15-96 (new) i.e. 3-15-91 (old), located at Shani Mandir Galli, Beed. The petitioner claimed to be the owner of the subject matter of property, while the Shani Mandir trust contends that it is the

property of the trust. The petitioner filed Writ Petition No.6814 of 2014 in this Court, thereby challenging the orders passed by the Collector, Beed, dated 25.04.2014 and 24.06.2014, whereby, it was ordered to remove the petitioners from the subject matter of property. The petitioners have also challenged the notice/order dated 18.07.2014 issued by the Tahsildar pursuant to the order passed by the Collector, Beed. The petitioner has also sought interim relief whereby stay to the orders passed by the District Collector, as also the notice issued by the Tahsildar, was sought. Shri Tungar, the learned counsel would submit that on 28.11.2018, this Court admitted the matter for final hearing and stayed execution and implementation of the impugned orders. The learned counsel for the petitioner would submit the petitioner's interest is protected by order of this Court and the order passed by the Collector, Beed (supra) is stayed. He would further submit that despite of the order passed by this Court, respondent No.1 had been to the office of the Police Superintendent, Beed, with an application dated 05.03.2025, seeking police protection to take unlawful possession of the subject matter of property from the petitioner. Shri Tungar, the learned counsel would submit that even the Police Inspector, Police Station, Peth, Beed, issued a notice dated

13.03.2025 to the petitioner, thereby calling him to produce the documents of ownership before him and also making it clear, that if he fail to comply with the notice, the police protection would be granted to respondent No.1. Shri Tungar, the learned counsel, would submit that Respondent No. 1 has even gathered material which gives the petitioner a reasonable apprehension that Respondent No. 1 may destroy the subject matter property and oust the petitioner from it. Hence, the present contempt petition has been filed.

3. In the light of the notice dated 13.03.2025, issued by the Police Inspector, Peth Police Station, Beed, the petitioner also added the said authority as party respondent to the contempt petition. Shri Tungar, the learned counsel would, however, fairly submit that the petitioner addressed to the Police Inspector that his possession is well protected under the orders of this Court and that breach of demolishing the subject matter property or removing the petitioner from the subject matter property, would result into contempt of the order passed by this Court. Shri Tungar, the learned counsel would submit that since thereafter, neither respondent No.1 nor respondent No.2 have approached to the petitioner. It is clear that the contempt petition was filed in reasonable apprehension of the petitioner. It is a

matter of fact that the order dated 28.09.2018 is still in existence and every party is bound by the order passed by this Court.

4. In view of this, on instructions, Shri Tungar, prays to allow the petitioner to withdraw the contempt petition. He would submit that in the event of any such activity, if the respondent or any other party undertakes in breach of the order passed by this Court on 28.09.2018, he be permitted to take appropriate proceedings.

5. Shri Tapse, the learned counsel, on instructions, submits that no such illegal activity has been done by respondent No.1 nor the respondent No.1 does intend to violate the order passed by this Court.

6. In view of this, the contempt petition stands disposed of as withdrawn.

7. Needless to state, the petitioner is at liberty to raise appropriate proceedings in the event of any cause of action arises.

[AJIT B. KADETHANKAR, J.]

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