



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**936 CONTEMPT PETITION NO. 984 OF 2024
IN WP/13535/2023**

ATHAR SAYEED MAZHARUDDIN
VERSUS
S L GALANDE

...

Advocate for the Petitioner : Mr. Bhushan Mahajan
AGP for Respondent/State : Mrs. V.P. Dama

...

**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL-JADHAV, JJ.**

DATED : 3rd DECEMBER, 2025.

ORDER :

. By order dated 31.10.2023, we directed the respondent authorities as follows :-

"3. In view of the above, this Petition is disposed off, with the following directions:-

(A) If a measurement of the Petitioners' land has not been carried out, appropriate directions shall be issued for carrying out the said measurement. The Petitioners and the Respondent No.4, Public Works Department, would pay equal shares of the fees for measurement.

(B) The above exercise of depositing the fees, if any, shall be completed within 45 days from today. Thereafter, measurement shall be carried out within 30 days with due notice to the parties concerned.

(C) If it is revealed that the Petitioners' land, to be specific, Gut No.80/3 Vadhod (Bk.), Tq. Khultabad, has been utilized

for the said road, the concerned authorities shall resort to acquisition of the said portion of the land in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and shall ensure that the process of acquisition is completed within the prescribed 12 months period."

2. By filing affidavit-in-reply, the respondents have contended that measurement was carried out and it was found that petitioner's land is not utilized for construction of road. Measurement is carried out in presence of the petitioner. It is specifically averred that " I say and submit that from the measurement report it also evident that the Respondent No.1 has constructed road in the said Gut No.80, to the extent of 98 R of land. But it is also evident that, the road is not constructed in the land of petitioner." One more affidavit is filed by respondent no.2 reiterating the said contentions by annexing the panchanama carried out at the time of measurement.

3. Learned Advocate for the petitioner contends that petitioner's land is affected. We cannot go into the disputed questions of facts in the contempt jurisdiction. In view of compliance of directions, contempt petition is disposed of. The petitioner is at liberty to avail appropriate remedy if his grievance survives.

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)