



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

CONTEMPT PETITION NO. 68 OF 2025

Manisha Rajkumar Mudgade

.. Petitioner

Versus

Rohini Nahevirole

.. Respondent

Mr. Sachin Deshmukh, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATED : 20th JANUARY, 2025.

P. C. :-

. Heard for some time.

2. The petitioner has filed this contempt petition alleging that, the respondent has committed contempt of the order of this Court. The relevant portion of the order dated 27.07.2022 of which the contempt is alleged reads as under :

“8. The amount of compensation shall be treated as a suit property in the suit which is already pending. The parties may seek appropriate relief in that suit including claim for disbursement of amount.”

3. This order dated 27.07.2022 was passed in the writ petition. Pursuant to that, the petitioner filed an application praying to the learned Reference Court for direction to competent authority to deposit

the compensation amount in the Court in the said proceedings. The learned Trial Judge on 23.06.2023 passed the following order :

“Other side has not given say. Issue letter to competent authority to deposit the compensation amount in the Court.”

4. Now, it is the say of the petitioner that, in spite of this order neither the competent authority, nor the present respondent No. 1 has deposited the amount in the Court and filed a say and communicated to the Superintendent of the Court by communication dated 17.07.2023 that, the amount of compensation is already disbursed to the claimant on 17.11.2019. It is alleged that, by this conduct the respondent has committed contempt of the order of this Court.

5. It is the submission of learned advocate Mr. Deshmukh for the petitioner that, the order passed by the learned Trial Court was passed pursuant to the order passed by this Court. The order ought to have been obeyed though passed by the learned Reference Court.

6. This Court does not find substance in the argument and in the petition. This Court had merely directed to treat the amount of compensation as a suit property. It is seen that, it is the petitioner who misinterpreted the order and prayed to the Court for direction to

re-deposit the amount when this Court has never directed such a thing. Secondly, the amount is already disbursed to the claimant. There is no direction issued by this Court directing any of the authorities to re-deposit the amount already disbursed. Hence, it is clear that, no contempt is committed of any order.

7. The learned advocate for the petitioner relies upon the judgment in the case of **S. K. Sarkar Member, Board of Revenue, U.P., Lucknow Vs. Vinay Chandra Misra**¹ . This Court finds that the reliance on the judgment is totally misplaced.

8. The contempt petition is thus to be dismissed and the same is hereby dismissed.

(KISHORE C. SANT, J.)

P.S.B.

1 AIR 1981 SC 723.