

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4259 OF 2025

Nagnath Dattu Gaikwad ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. R. M. Haridas a/w Somnath Thengal, Nakul Shukla i/b Prasad Kulkarni
for Petitioners.

Ms. S. S. Bhende, AGP for State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE: 26 MARCH 2025

P.C.

1. The only substantive prayer as pressed in this petition is prayer clause (a)
which reads thus:

"(a) Issue an appropriate Writ / Order or direction to Ld.
Collector, Solapur to decide the Application made by the
Petitioner dated 24 February 2025 as expeditiously as possible
within fixed period."

2. Mr. Haridas, learned counsel for the petitioner has drawn our attention to
an order dated 11 February 2025 passed by the learned Single Judge of this
Court in the proceedings of Contempt Petition No. 445 of 2023 and Second
Appeal No.625 of 2003. The said order is required to be noted which reads
thus:

"1.Learned counsel for respondent no.1 on instructions submits that immediate steps shall be taken pursuant to order dated 15 December 2023.

2. Statement made on behalf of respondent no.1 is accepted as an undertaking to the Court. To give one last opportunity to respondent no. 1 to make necessary compliance in terms of order dated 15 December 2023, this contempt petition is adjourned to 25 February 2025.

3. to be listed under the caption for 'Directions'.

4. It is clarified that if steps are not taken, further orders shall be passed on the ground of aggravated contempt."

3. Our attention is also drawn to a further orders passed in the said proceedings on 25 February 2025 which reads thus:

"1. Learned counsel for the respondents seeks further time to take appropriate steps for cancellation and registration of the documents executed and registered by the respondents in breach of order dated 28 July 2004.

2. By way of last chance, four weeks time is granted to take appropriate steps, failing which appropriate order will be passed in the contempt petition.

3. Stand over to 4 April 2025.

4. To be listed high on board under the caption 'for admission'."

4. In the light of the aforesaid orders, the petitioner has made a representation dated 24 February 2025 to the Collector, Solapur for a permission to be granted by the Collector for the land in question to be re-conveyed in favour of M. Hanif Maulasaheb Tamboli & Ors. As this is the only prayer as made in the petition, we direct that the petitioner's application dated 24 February 2025 be decided by the Collector, Solapur as expeditiously as possible and in any event within a period of four weeks from

day a copy of this order is placed before him, after granting an opportunity of a hearing to the petitioner. Ordered accordingly.

5. All contentions of the parties on the merits are expressly kept open.

6. It is also clarified that the aforesaid orders are no expression of any opinion on any other pending proceedings, before any other forum.

7. Disposed of.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)