

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 580 OF 2025

Vishvas Vasant Tamhankar ... Petitioner

Versus

Sarpanch, Rahateshwar Village Panchayat ... Respondent

Mr. Raj Tamhankar i/b. Mr. Aditya Rai for the Petitioner.

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : 24th November 2025.

ORAL ORDER (Per : M. S. Karnik, J.)

1. Heard learned counsel for the Petitioner.
2. The order, the breach of which is alleged, is dated 27th September 2024, which is at page 18 of the paper-book. Para No.3 thereof of which breach is alleged records thus :

“Accordingly, we direct the Village Panchayat of Rahateshwar to dispose of Petitioner’s complaint dated 6 October 2023 by following the law as expeditiously as possible and in any event within three months from the receipt of an authenticated copy of this order.”

3. Learned counsel for the Petitioner submits that the Grampanchayat issued notice dated 4th March 2025 regarding the unauthorized construction to the violator. Recent notice is at page 77 of the Petition. The violator vide reply dated 27th March 2025, which is at page 91 of the Petition, admitted to the unauthorized construction but requested that the additional structure of which the breach is alleged be regularized.

4. Since the application for regularization has been made, it will not be possible for us to hold that the Gram Panchayat is not taking the complaint dated 6th October 2023 to its logical conclusion. The Gram Panchayat has taken necessary action, which reflects substantive compliance of the order passed by this Court. However, the application made for regularization by the violator cannot be kept pending indefinitely. The same will have to be decided at the earliest by the Gram Panchayat.

5. Needless to mention that having admitted to have constructed the additional area without obtaining prior permission, in respect of which now an application for regularization is made, there is no manner of doubt that the Gram Panchayat shall decide the application for regularization as expeditiously as possible on its own merits and in accordance with law.

6. With these observations, the Contempt Petition is disposed of with liberty to take appropriate recourse against the Gram Panchayat entertaining the application for regularization or for that matter challenging any adverse orders passed on the application for regularization.

7. With this liberty, the Contempt Petition is disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

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