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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONT. PETITION NO. 791 OF 2025
IN
WRIT PETITION NO. 13597 OF 2022

Barku Ananda Sangle & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Vaibhav Ugle with Mr. Aditya Shinde for Petitioners.
Mr. A. I. Patel, Addl. G. P. with Ms. M. S. Bane, AGP for State.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 24 DECEMBER 2025.

P.C.

1. This contempt petition is filed alleging non-compliance of the order dated 28 November 2022 passed by a co-ordinate Bench of this Court whereby this Court had directed the Collector, Nashik, to dispose of the representation made by the petitioner (Exhibit-E to the petition) within eight weeks from the date of communication of the said order and to communicate the decision to the petitioner within one week from the date of passing such order. As the said directions were not complied with, the present petition has been filed alleging contempt.

2. A reply affidavit of Ms. Ankita A. Waghmare, Sub Division Water Conservation Officer, Land and Water Conservation, Sub Division, Malegaon, Tal. Malegaon, Dist. Nashik, is placed on record, wherein the following statements have been made:-

"4. I say that, the Order dated, 21.11.2022 alongwith the Representation dated 23.5.2022 along with a letter dated 23.12.2022 was forwarded by the office of the District Collector, Nashik to the Office of the Respondent No. 4 for taking necessary action that has to submitting the proposal for land acquisition of the Petitioners as per the Order passed by this Hon'ble Court and as per Representation mentioned hereinabove. Hereto annexed and marked as Exhibit-A is a copy of the said Letter Dated 23.12.2022

5. I say that, in the Joint Measurement carried out by the Superintendent of Land Records Nandgaon, Nashik there was discrepancy between the Joint Measurement sheet, Map and abstract 16 which was annexed to the said Measurement sheet and Measurement Map. I say that, my office vide letter dated 19.8.2020 requested the Deputy superintendent of Land Records, Nandgaon, Nashik to issue corrected measurement sheet and Map ready with abstract 16, so the proposal for land acquisition of the Petitioners land can be forwarded to the concerned Deputy Collector, (Acquisition), Nashik and the process for land acquisition can be completed as per the provisions specified under Right to Fair and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and acquisition can be completed.

6. I say that, thereafter, I have forwarded about 19 letters to the Deputy Superintendent of Land Records, Nandgaon, Nashik, to complete the process of making corrections in the Joint Measurement and issue the same, so the process of land acquisition can be commenced. Hereto annexed and marked as Exhibit- B (Colly). are the copies of Letters and Correspondence made with the Deputy Superintendent of Land Records, Nandgaon, Nashik. I crave leave to refer to rely upon the said correspondence as and when produced.

7. Ultimately, upon receiving directions from the District Collector, Nashik all the authorities from my office. Superintendent of Land Records, Nashik and by other concerned officers from the Land Acquisition Department have attended the meeting before the Learned District Collector, Nashik. Upon considering the facts of the case and in order to expedite the matter, the time bound directions on assurance by the Superintendent of Land Records to complete the process of rejoint measurement or correction in the joint measurement shall be done within 8 days and the document shall be submitted to the office of the Respondent No. 3 and 4 within 8 days immediately after completing the process in 8 days.

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11. In view of the aforesaid fact, I respectfully prayed that, I once again express my unconditional apology and requested the Hon'ble Court to condone the delay taking steps in furtherance to directions given by this Hon'ble Court which is neither deliberate nor willful."

3. In this view of the matter, we are of the opinion that further appropriate action has now been initiated. We accept the statement as made in the said

affidavit. We hence accept the contention as urged in paragraph 11 of the reply affidavit (supra), as we are of the opinion that non-compliance would not fall within the category of deliberate and willful disobedience of the order passed by this Court.

4. We accordingly dispose of this petition in the aforesaid terms. All further appropriate actions be taken in accordance with law as expeditiously as possible and, in any event, within a period of six months from today.

5. Disposed of. No costs.

(AARTI SATHE, J.) (G. S. KULKARNI, J.)

Signed by: Vidya S. Amin
Designation: PS To Honourable Judge
Date: 24/12/2025 20:32:19