



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16219 OF 2024
IN
CONTEMPT PETITION NO.33 OF 2021
IN
WRIT PETITION NO.565 OF 2019

Kisan @ Krishna Bhagu Kadam & Ors. ...Applicants/Petitioners

Versus

State of Maharashtra & Ors. ...Respondents

WITH
CONTEMPT PETITION NO.201 OF 2023
IN
WRIT PETITION NO.3514 OF 2021

Shivpratap Krishnarao Patankar ...Petitioner

Versus

Yogesh Yadav & Ors. ...Respondents

Mr. A. R. Gole i/b. Mr. Sanjay Anabhawane for Applicants/Petitioners in CP/33/2021.

Mr. B. V. Samant, Addl. G. P a/w Ms. M. S. Bane, AGP for Respondent-State.

Mr. Sumit Khaire i/b. Mr. Nilesh Wable for Petitioner in CP/201/2023

CORAM : M. S. Sonak &
Jitendra Jain, JJ.

DATED : 7 February 2025

PC.:-

1. Heard learned counsel for the parties.
2. This Interim Application in a disposed-of contempt petition is *prima facie* not maintainable. If the Applicants felt that the Respondents had committed yet another contempt, they should have instituted a fresh contempt petition.

3. Be that as it may, and without sitting on technicalities, we cannot afford not to take cognizance of the orders made by the Co-ordinate Bench regarding constituting the High-Power Committee to look into instances of allotment of alternate lands to parties who were not entitled to rehabilitation or resettlement or such alternate lands. Under such orders, the Government has issued a Government Resolution constituting a High-Power Committee to investigate such matters.

4. In circumstances and cases somewhat similar to those in the present instance, contempt petitions were not entertained. Nevertheless, directions were issued to the High-Power Committee to examine the Petitioners' cases in accordance with the law. This is evident from the Co-ordinate Bench order dated 26 September 2024 in Contempt Petition No. 123 of 2024 and the connected matters cited by Mr. Samant.

5. Therefore, by adopting the same course of action, we direct the High-Power Committee to examine the Petitioners' case regarding allotment of alternate plot as expeditiously as possible and within three months from uploading this order. Mr. Samant learned Additional Government Pleader is requested to immediately forward a copy of this order to the High-Power Committee so that our directions can be complied within three months without any delay.

6. The time-bound directions are issued because Mr. Anabhawane, learned counsel for the Applicants, pointed out that there are orders made by this Court in the past regarding allotment. He pointed out that the contempt petition was instituted for non-compliance with those orders. In the contempt petition, statements were made regarding allotment. Based on such statements, the

contempt petitions were disposed of. Since the statements were not complied with, this Interim Application was filed.

7. The Petitioners are granted liberty to furnish their detailed representation to the High-Power Committee within two weeks from today. All documents that form their claim's basis should be enclosed along with this representation. The High-Power Committee should consider the same, give the Petitioners an opportunity of hearing and communicate its decision to the Petitioners within three months.

8. If the decision of the High-Power Committee aggrieves the Petitioners, they will have their rights to challenge the same following law.

9. This Interim Application is disposed of. However, the High Power Committee must file its compliance report by 8 May 2025 with an advance copy to Mr. Anabhawane, learned counsel for the Applicants. All concerned are to act on an authenticated copy of this order.

10. Contempt Petition No.201 of 2023 is detagged from this matter and must be heard separately.

(Jitendra Jain, J.)

(M. S. Sonak, J.)