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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMP PETITION NO. 421 OF 2025
IN
INTERIM APPLICATION (STAMP) NO. 17281 OF 2025**

Sudhakar Sopanrao Dhore & Anr. .. Petitioners

Versus

State of Maharashtra & Ors. .. Respondents

Mr. Rajiv Narula a/w Mr. Tarun Jagtiani i/by Jhangiani Narula & Associates for petitioners.

Mrs. Neha S. Bhide, Govt. Pleader with Mr. O. A. Chandurkar, AGP and Mrs. G. R. Raghuwanshi, AGP for respondent no.1.

Mr. Ketan Joshi for respondent no.3-Nagar Panchayat.

Mr. Sandeep Patade i/by Mr. Kavyal P. Shah for respondent nos.10, 15 and 17.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 3rd JULY, 2025

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ORAL ORDER [Per Chief Justice]:

1. This Contempt Petition has been filed for violation of the judgment and order dated 22nd September, 2004 passed by a Division Bench of this Court in PIL No. 101 of 2002, order dated 28th December, 2004 passed by the Collector, Pune and order dated 16th August, 2005 passed by the Additional Commissioner, Pune.

2. Facts giving rise to filing of the present contempt petition briefly stated are that the land bearing Survey No.66 situated at village Vadgaon, Taluka -Maval, District Pune

(hereinafter referred to as "the subject land"), belongs to Government of Maharashtra, which is in possession of Grampachayat, Maval. The petitioners learnt sometime in the year 1988 that the subject land has been illegally divided and provided with a new Survey No. 66/1 and thereafter the respondent no.7 has allegedly purchased the same and further divided in small plots and sold the said plots to respondent nos.8 to 17. The petitioner thereupon submitted multiple representations in the year 2002 and filed the PIL No. 101 of 2002 against the inability of respondent nos.1 to 6 to take action against the respondent nos.7 to 17.

3. A Division Bench of this Court by an order dated 22nd September, 2004 disposed of the PIL No. 101 of 2002 and directed the Collector, Pune to treat the PIL petition as representation and to decide the nature of construction. Accordingly to the petitioner, the Collector, Pune, passed an order directing the respondent nos.9, 14 and 15 to remove the unauthorized construction. Thereafter, the Additional Commissioner, Pune by an order dated 16th August, 2005 upheld the order passed by the Collector, Pune. The petitioner, therefore, has filed this contempt petition.

4. We have heard the learned counsel for the petitioner at length.

5. No contempt petition can be filed for violation of direction contained in the orders dated 28th December, 2004 and 16th August, 2005 passed by the Collector, Pune and Additional Commissioner, Pune respectively. A Division Bench of this Court by an order dated 22nd September, 2004 had directed the Collector to treat the PIL petition as

representation and to decide the nature of construction. Therefore, no case for contempt is made out in the facts and circumstances of the case.

6. The Contempt Petition is disposed of with the liberty to the petitioners to take recourse to such remedy as may be available to them in law with regard to their grievance, if any.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)