



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 436 OF 2025

IN

WRIT PETITION NO.9645 OF 2024

Kashinath Vasudevo Bhoir & Ors.Petitioners

In the Matter in Between:

Kamalabai Shantaram Bhoir & Ors.Petitioners.

Vs.

Union of India & Ors.Respondents

Mr. Amogh Karandikar, for the Petitioners.

Mr. Atharva Dandekar with Mr. Hitendra Parab & Mr. Om Waghmode, for the Respondent Nos.1 & 4

Mr. R. V. Govilkar, Senior Advocate with Mr. D. P. Singh, for the Respondent-UI in WP/9645/2024.

Ms. Tanu Bhatia, AGP, for the Respondent-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 4th JULY 2025.

P.C.:-

1. At the outset, learned counsel for the Petitioners seeks leave to amend to implead the State of Maharashtra as party Respondent No.5. Leave granted. Amendment to be carried out forthwith. Learned AGP waives notice on behalf of the newly added Respondent No.5-State.

2. By this Contempt Petition, the Petitioner alleges contempt of the order dated 17th October 2024, in particular paragraph 8 of the said order, which reads thus:

“8. Till the adjourned date of hearing, we direct that, except by a due process of law being followed, the land of the petitioners, be not acquired and the possession of the petitioners shall not be disturbed. Ordered accordingly.”

3. Learned counsel for the Petitioners states that despite the aforesaid directions, the Respondents have entered into the Petitioner’s land and have started construction for laying the railway track.

4. Leaned counsel for the Respondent Nos.1 to 4 states that the said Respondents have not entered on the Petitioner’s land and that the activities that are going on as evident from the photographs appear to be that carried out by some other party. Learned counsel seeks time to file an Affidavit in Reply bringing the same on record. Time granted.

5. Stand over to **11th July 2025**, on the supplementary board.

6. In the meantime, learned AGP to depute some responsible

officer to find out as to whom, the crane shown in the photographs belongs to and the Authority, that is carrying on the construction as evident from the photographs, allegedly in Petitioner's land.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)