

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 563 OF 2025

Navnath Shraddha CHS Ltd.

... Petitioner

Vs.

Kalyan Dombivli Municipal Corporation, through
the Commissioner & Ors.

... Respondents

Ms. Tejashree P. Joshi a/w. Ashwin Rasane for the petitioner.
Ms. M.P. Thakur, AGP for respondent no. 4.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATED: 11 SEPTEMBER, 2025

P.C.

1. This Contempt Petition is filed alleging contempt of the order dated 27 June, 2024 passed by a co-ordinate Bench of this Court on the Writ Petition. The Division Bench in the said order recorded that respondent no. 1-Kalyan Dombivli Municipal Corporation (for short “KDMC”) had passed an order on 7 March, 2018 for demolition of certain illegal constructions carried out by respondent no. 5 to 8 to be removed within eight days from the date of such order. However, as the said order was not being acted upon, the petition in question came to be filed. The Division Bench accordingly disposed of the petition directing the KDMC to enforce its order dated 7 March, 2018 on or before 25 July, 2024 and file a compliance report before this Court.

2. Learned counsel for the petitioner submits that demolition was accordingly undertaken sometime in August, 2024, however, a compliance report is yet to be

placed on record.

3. Once the demolition has taken place, we are not inclined to accept that there was any intentional breach of the order passed by this Court. Let a compliance report on the part of the Municipal Corporation be placed on record within two weeks from today.

4. We are also informed that there is debris lying on the site which will be required to be removed by the Municipal Corporation at the cost of those who had undertaken illegal construction. Let such compliance also be made within two weeks and such aspects be also included in the compliance report to be filed.

5. The advocate for the petitioner is permitted to serve a copy of this order on the Municipal Corporation as also to the advocate for the Municipal Corporation for necessary compliance. In the event, such compliance is not reported to the advocate for the petitioner/petitioner, liberty to the petitioner to move the Court by way of the praecipe so that further appropriate orders can be passed.

6. In this view of the matter, further adjudication of the Contempt Petition is not called for. It is accordingly disposed of, however, in terms of the aforesaid directions. No costs.

7. Parties to act on the authenticated copy of the order.

(AARTI SATHE, J.)

(G. S. KULKARNI , J.)