Pallavi

PALLAVI MAHENDRA WARGAONKAR

Digitally signed by PALLAVI MAHENDRA WARGAONKAR
Date: 2026.10.06 12:00:58 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.551 OF 2026

Sunil Pandurang Lokhande ...Petitioner
Versus
Dr. Vijay Suryavanshi,
The Commissioner of Pimpri Chinchwad
Municipal Corporation ...Respondent

...

Mr. Vaibhav Ugle a/w Prashant Mahajan for the Petitioner.
Mr. Sandeep D. Shinde a/w Riddhi Gurav, Jayvardhan Hajare for the Respondent.

...

CORAM : MAHESH CHANDRA TRIPATHI, CJ. &
ADVAIT M. SETHNA, J.

DATE : 5th OCTOBER, 2026.

P.C.:

1. The instant Contempt Petition is preferred alleging wilful non-compliance of the order of this Court dated 2nd April 2026 by the Respondent.

2. At the outset, Mr. Sandeep Shinde, the learned counsel appearing for the Respondent has tendered a sanctioned plan dated 16th June 2025 issued by the Pimpri Chinchwad Municipal Corporation. He submits that before instituting any suit proceedings and/or passing of order dated 2nd April 2025

by this Court in Writ Petition No.16192 of 2025, the sanctioned plan was already approved.

3. Mr. Shinde submits that only two issues were involved, according to this Court's order dated 2nd April 2025 (supra). In paragraph 5 thereof, it was observed that the Planning Authority has to *prima facie* satisfy itself that all the owners intend to undergo construction. However, detailed inquiry cannot be carried out due to the subject matter of adjudication which has to be done by the Competent Court.

4. Mr. Shinde further submits that the Planning Authority can certainly go into the issue as to whether the building permission is obtained or not as also observed by this Court in order dated 2nd April 2026 (supra). In that regard, building permission was duly accorded by the Competent Authority way back on 16th June 2025.

5. Considering the factual situation as emerged before us, we find that no case is made out for wilful non-compliance of the order passed by the Writ Court. As far as the building permission dated 16th June 2025 is concerned, we are not inclined to proceed in respect of the same and/or adjudicate

the legality/validity thereof, in the instant Contempt proceedings.

6. However, in case the Petitioner is aggrieved by such building permission, in light of the order dated 2nd April 2026 passed by this Court, we leave it open to the Petitioner to press such relief before the competent Civil Court, in accordance with law.

7. Accordingly, the instant Contempt Petition is Disposed Of, without adverting to the merits of the matter.

[ADVAIT M. SETHNA, J.] **[CHIEF JUSTICE]**