

JVS.

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

CONTEMPT PETITION NO. 599 OF 2024

IN

PUBLIC INTEREST LITIGATION NO. 171 OF 2018

Munir S/o. Kadar Shaikh	}	Petitioner
Versus		
Nitin Karin & Ors.	}	Respondent

Mr. Sachin Bansode i/b. Mr. Prasad Rokde, Advocates for the Petitioner.

Ms. Neha S. Bhide, Government Pleader with Mr. O. A. Chandurkar, additional Government Pleader and Ms. G. R. Raghuwanshi, AGP for State.

**CORAM: SHREE CHANDRASHEKHAR, C.J. &
GAUTAM A. ANKHAD, J.**

DATE: 17th FEBRUARY 2026

P.C.:

A prayer for adjournment is made on behalf of the learned counsel for the petitioner.

2. The prayer is declined.

3. The petitioner filed Public Interest Litigation No. 171 of 2018 before this Hon'ble High Court. After hearing and considering the facts stated in P.I.L.. which are on record, by an order dated 22/04/2019, this Hon'ble court issued a direction to the Principal Secretary of Tribal Development Department, by calling records pertaining to the Development Works carried during the period 2012-2015 under the Tribal Development Project in Palghar District

4. The State Government introduced a scheme namely, Thakkar Bagga Adivasi Vasti Sudharit Ekatmik Yojana, which is termed

Thakkar Bagga Yojana, for the integrated development of tribal communities. As a part of this scheme, various works were executed in Palghar District through the integrated Tribal Development Project offices namely, Jawhar and Dahanu.

5. In all, 304 works were shown to be executed under the Jawhar Integrated Tribal Development Project during the period 2012-2015. All these works were shown to have been executed in 54 villages out of 83 villages from the Vikramgad Taluka of Palghar. Though the Government has spent crores of rupees for development works in the tribal area, it was noticed that no such development works were executed and without doing the work, the bills were being submitted and the amount was being withdrawn towards the said bills.

6. The District Collector thought it fit to have a social audit of the said works and therefore, the budgetary provisions were made by way of the administrative sanction order dated 22/03/2016 for the audit of the said work. On 22/07/2016, the State Government issued a Resolution thereby empanelling the institutions to conduct the audit of the works executed. As per this Government Resolution, the Technology and Development Solutions Cell (T.D.S.C.) Center was empanelled to conduct the audit of the projects.

7. The Technology and Development Solutions Cell (T.D.S.C.) completed the social audit of the development works. Out of 304 works, 303 works were audited, as the details of one work were not available. The audit revealed that 108 works were not found at site, 57 works could not be assessed due to non-availability of estimates, and out of the remaining 138 works, 98 works were found to be NOT OK, while only 42 works were found to be OK. The audit

further stated that the total budget of the Thakkar Bagga Yojana in Palghar District was about Rs. 212.01 Crores, of which Rs. 30 Crores was spent in Vikramgad Taluka during 2012-2015. It was also found that a large portion of the works were sub-standard, several works were duplicated, and on the basis of the audit report and a complaint by Shri Sharad Yashwant Patil, the District Collector of Palghar reported that Rs. 26 Crores had been misappropriated in Vikramgad Taluka. As far as the other Talukas in Palghar District are concerned, no documents are available. The District Collector, Palghar also issued a letter to the Superintending Engineer, Public Works Department, Thane on 21/09/2018 thereby stating to submit the explanation as to what action is taken against the erring officers.

8. The Hon'ble High Court while considering the Public Interest Litigation Application and averments therein, passed an order on 22nd April 2021 thereby issuing a direction to the Principal Secretary of Tribal Development Department, Mantralaya, Mumbai by calling records pertaining to the scheme of Development Works executed during the period 2012-2015.

9. This petition has been filed for non-compliance of the order dated 22nd April 2019 passed in Public Interest Litigation No. 171 of 2018. The petitioner has made the following prayers: -

"A] This Contempt Petition may kindly be allowed.

B] The respondent Nos. 1 to 11 may kindly be punished under the provisions of Contempt of the Courts Act, 1971 for willful disobedience of the order passed by this Hon'ble Court Dated 22/04/2021 in Public Interest Litigation No. 171 of 2018.

C] Pending hearing and final disposal of this Contempt Petition to direct the Principal Secretary of Tribal Development Department, Mumbai to recover misappropriated amount from the erring officers persons who have committed fraud and to take necessary action against them forthwith and submit the report.

D/ Pending hearing and final disposal of this Contempt Petition the Principal Secretary of Tribal Development Department, Mumbai to initiate civil proceeding and register criminal F.I.R. against erring officers persons who have committed fraud and to take necessary action against them forthwith.”

10. Having gone through the materials on record, we are of the opinion that a contempt petition shall not lie merely on the ground that “someone” has committed contempt of Court.

11. Contempt Petition No. 599 of 2024 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]