



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SUO MOTU CONTEMPT PETITION NO. 1 OF 2026
IN CIVIL APPLICATION (W) NO. 3117 OF 2025
IN WRIT PETITION NO. 7276 OF 2019 (D)
(Court on its own motion Vs. Sub-Divisional Officer, Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Vinay Sharma, Counsel for the applicant in CAW No.
3117/2025.
Mr. K.R. Lule, A.G.P. for the State.

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CORAM : ANIL L. PANSARE AND
NIVEDITA P MEHTA, JJ.
FEBRUARY 25, 2026

On 21/1/2026, following order was
passed :

“Mr. Anil Bhatkar, Sub Divisional Officer, Amravati is present before the Court. He seeks time to file reply. He submits the revenue case under question will be decided by 28-2-2026. However, we would like to know his stand on two counts, one is, why was review case of the year 2012-2013 pending before him for such a long time and secondly, why was it not decided in terms of order dated 31-1-2024 passed by learned Single Judge of this Court in Writ Petition No. 1318/2020 directing him to take decision expeditiously.

List the petition for further consideration in the week commencing from 9-2-2026.”

2] There occurred an inadvertent mistake in the aforesaid order. The word ‘review’ shall be replaced by ‘revenue’. Necessary correction shall be made immediately, and corrected copy be uploaded forthwith.

3] In response to the aforesaid order, the affidavit is filed. The response was sought on two counts;

one is, why was revenue case of the year 2012-13 pending before the Sub-Divisional Officer, Amravati, for last about 12 years, and second is, why was it not decided in terms of order dated 31/1/2024 passed by the learned Single Judge of this Court in Writ Petition No. 1318/2020 directing him to take decision expeditiously.

4] On first count, the explanation-cum-justification is that the matter was adjourned on one or the other count at the instance of the parties, transfer of Officers, death of non-applicant no.2, which required taking steps for bringing on record legal representatives, and that various documents were filed, which was followed by COVID – 19 pandemic. These are the reasons assigned for delay of 10-12 years in deciding the case.

5] We do not find this justification worth accepting. It is always within the powers of an authority to control proceedings pending before it, particularly, on the point of seeking adjournments. Transfer of Officers can be no reason for delay in deciding cases. Death of a party, and bringing on record legal representatives, is a matter of 15-20 days, at the most, a month. Filing documents and examining same is a part of decision making process, and cannot be a reason to keep proceedings pending. COVID – 19 pandemic showed its presence as late as in the year 2020. That would not prevent the Sub-Divisional Officer to decide the case for 8 years prior thereto. Accordingly, the explanation tendered is rejected.

6] So far as second count is concerned, the justification is that the Officer under question was appointed as Returning Officer for Parliamentary

Constituency Elections – 2024, as also, Maharashtra Legislative Assembly Elections. He was allotted work of Returning Officer for Corporation Elections 2025-26.

7] This reason is assigned without giving the period for which he could not discharge his duties in the office. The Officer was directed to decide the case expeditiously, and an order to that effect was passed on 31/1/2024. If the plea put forth by the Officer is to be accepted, it would mean that from 1/2/2024 till concluding Corporation Elections, he has not discharged his duties as Sub-Divisional Officer. Such a plea is unacceptable, and accordingly, rejected.

8] At this stage, the learned A.G.P. seeks time till 2:30 pm today to take further instructions.

9] Kept back at 2:30 pm.

(JUDGE)

(JUDGE)

LATER ON

10] Mr. Anil Bhatkar, Sub-Divisional Officer, Amravati, is present. He tenders apology saying that henceforth, he will ensure that revenue appeals will be decided well within time, and most importantly, will ensure prompt compliance of Court's orders.

11] On the basis of assurance, so given, the contempt is purged.

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12] Not on board. Taken on board.

13] Since, the Sub-Divisional Officer has taken decision, the Counsel for the applicant is not pressing for orders.

14] The application is, accordingly, disposed of.

(JUDGE)

(JUDGE)

Sumit