

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

CONTEMPT PETITION NO. 406 OF 2023

Yogesh Associates

...Petitioner

Versus

State Of Maharashtra and Ors.

...Respondents

Mr. Shubham Gurav i/b Talekar and Associates for the Petitioner.

Ms. A.A. Purav, AGP for Respondent No.1.

Ms. Archana Gaware i/b Kedar Dighe for Respondent No.2/PCMC.

**CORAM : NITIN JAMDAR AND
M.M.SATHAYE, JJ.**

DATE : 31 JANUARY 2024

P.C. :

. The contempt is alleged of the order dated 29 November 2023 in Writ Petition No. 1455 of 2023. By this order a simplicitor direction was issued to take a decision within a period of 8 weeks and the decision has to be communicated thereafter to the Petitioner. If any adverse order was to be passed, the Petitioner was given liberty to challenge the same.

2. The Contempt Petition is filed on the ground that the said order is not complied with. Affidavit is tendered by the Respondent Corporation wherein communication of the Petitioner to the Corporation is sought to be placed on record, where it is stated

that the corporation is proceeding to acquire the land by way of consensus and it is also decided to pay the amount immediately and therefore, the Contempt Petition would be withdrawn. All this was not in contemplation of the Court when it passed the order in the Writ Petition. The Court only directed to take decision and communicate it to the Petitioner. It appears to us that the Contempt jurisdiction is being used by the Petitioner for some other purposes. We decline to proceed in contempt jurisdiction.

3. The Contempt Petition is disposed of.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)