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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CONTEMPT PETITION NO. 443 OF 2014**

Shri Suresh Bhawaniprasad ... Petitioner

Pardeshi

Vs.

Sri Atul Chavan, Executive ... Respondents

Engineer and Others

Mr. Sanjay Kshirsagar for the Petitioners.

**CORAM : GAURI GODSE, J.**

**DATE : 4<sup>th</sup> FEBRUARY 2026**

**ORDER :**

1. Learned counsel for the petitioner submits that respondent no. 3 has committed contempt of the order dated 3<sup>rd</sup> April 2014 and 8<sup>th</sup> April 2014 read with the undertaking given to this court as stated in paragraph 15 of the affidavit in reply dated 11<sup>th</sup> August 2016.

2. I have perused the papers of the contempt petition. The writ petition is filed by the petitioner to challenge the order of eviction passed by the competent authority i.e. respondent no. 2 and the dismissal of the statutory appeal filed before the district court.

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3. By order dated 3<sup>rd</sup> April 2014 this court directed the parties to maintain status quo and the petition was adjourned to 8<sup>th</sup> April 2014. On 8<sup>th</sup> April 2014 the petition was adjourned to 9<sup>th</sup> June 2014 and the ad-interim protection was continued. The petitioner has stated in paragraph 5 of the contempt petition that despite the order of status quo the respondent took forcible possession of the suit property from the petitioner on 5<sup>th</sup> May 2014.

4. In this contempt petition, learned AGP was granted time to file affidavit in reply. Accordingly, the affidavit in reply dated 11<sup>th</sup> August 2016 was filed by respondent no. 3 thereby stating that in the writ petition affidavit was filed thereby stating that the office of the Tahasildar would restore the status quo ante, if the petitioner succeeds in the petition or if the petition is admitted. Though the petition was admitted on 22<sup>nd</sup> July 2016 the possession is not restored.

5. On 22<sup>nd</sup> January 2026 learned AGP had requested for time to take instructions as to when the possession would be restored. Accordingly, contempt petition was adjourned to 28<sup>th</sup> January 2026. On that date again the learned AGP had requested for time. By way of last chance, the contempt

petition was adjourned.

6. Today when the petition is called out none appears for the respondent. In view of the orders passed in the writ petition and the statement made by respondent no. 3 in affidavit dated 11<sup>th</sup> August 2016, I am convinced that respondent no. 3 has deliberately committed breach of the order passed by this court. Despite making a statement on oath before this court, in this contempt petition respondent no. 3 has failed to comply with the assurance given to this court.

7. Hence, issue notice to respondent no. 3 under Rule (8) read with Rule (9) of The Contempt of Courts (Bombay High Court) Rules, 1994 ("the said Rules), Office shall issue notice to respondent no. 3 in the format as prescribed under Rule 9 of the said Rules.

8. Notice is made returnable on 5<sup>th</sup> March 2026.

**[GAURI GODSE, J.]**