

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CONTEMPT PETITION NO.401 OF 2013

Madhu Shankar Deshmukh .. Petitioner  
Versus  
Dadabhau Joshi, The District  
Resettlement Officer and Ors. .. Respondents

Mr.G.S.Godbole with Mr.G.H.Potnis, Mr.G.K.Mourya  
i/b.Mrs.Pallavi Potnis for the petitioner  
Mr.N.P.Deshpande, AGP for respondent No.4

CORAM : S. C. DHARMADHIKARI &  
G.S. PATEL, JJ

Date : 25<sup>st</sup> October 2013.

P.C.:

1] Let an affidavit be filed explaining as to how and during pendency of the contempt petition an order has been made on 28<sup>th</sup> August 2013 allotting to the petitioner a land from Gat No.390 stated to be admeasuring 80 Rs at Nanekarwadi and from gat No.307 admeasuring 40 Rs from village Kadachi wadi. That order is stated to be made on 28<sup>th</sup> August 2013. Let an affidavit be filed explaining as to how this order of allotment has been made when the Division Bench directed that a decision

be taken as expeditiously as possible and within a period of eight weeks from the date of the order i.e. 25<sup>th</sup> July 2012. The decision was to allot a parcel of land as prayed by the petitioner within eight weeks. That order was passed in the presence of Advocates. This order is now stated to be complied with on 20<sup>th</sup> August 2013. We would appreciate if an explanation is put forward in this affidavit as to why so much time was taken in issuing an order of allotment and why it was necessary for the original petitioner – contempt petitioner to file this contempt petition. List after vacation i.e. on 15<sup>th</sup> November 2013.

2] When we have recorded the statement made on instructions by Mr.Deshpande that an allotment order is passed, we clarify that an affidavit should be filed duly enclosing this allotment order. The statement should be made on affidavit as to whether the order which is originally passed on 25<sup>th</sup> July 2012 and modified on the later occasion has been made applicable only to the petitioners in whose cases the

modification was sought or whether it modifies and alters entitlement in terms of the chart relied upon by the Division Bench qua all claimants.

(S. C. DHARMADHIKARI, J)

(G.S. PATEL, J)