



l-2026

1

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

CONTEMPT PETITION NO. 71 OF 2026
IN WRIT PETITION NO. 4722 OF 2019 (D)

(Pranali Ravindra Puttevar Vs. Union of India through its Secretary, Department of Urban Housing and Poverty Alleviation and Ors.)

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

Court's or Judge's orders.

Mr. I. S. Charlewar with Mr. Bhuvanesh Raut, Counsel for the petitioner.

Mr. J.B. Kasat, Counsel for respondent no.4.

Ms Radhika Bajaj, Counsel for respondent no.5.

.....

CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
MARCH 12, 2026

Heard for some time.

2] Leave to correct address of respondent no. 6 is granted. Once address is corrected, issue notice to respondent no. 6, returnable on 26-3-2026.

3] The argument is that the issue of alignment of DP road was pending, and it was for this reason that STP and transformers were not removed, as directed by this Court vide order dated 29/4/2025 passed in Writ Petition No. 4722/2019.

4] This stand, on the face of record, is unacceptable, inasmuch as, the respondent no.4 has removed the STP, without alignment having been done.

5] Respondent no.5 shall, therefore, justify his stand that without alignment of road, the structure under question could not have been removed. Respondent no.5

shall place on record the map depicting the location of road then existing, location of structure under question and the subsequent development, if any.

6] Kept back at 2:30 pm.

(JUDGE)

(JUDGE)

7] Later on, heard at length.

8] The argument of respondent no. 5 is that the width of DP Road has been reduced and that structure under question is not on the road. Learned counsel for respondent no. 5 referred to certain documents, however, when we enquired with Mr. Kasat, learned counsel for Nagpur Municipal Corporation (NMC) as regards status of the road, he invited our attention to communication dated 3-4-2025 made by Nagpur Improvement Trust (NIT) to NMC stating therein that DP Road under question is 24 m wide. Thus, it appears that the road width has been not reduced and even if, reduced, it will not absolve respondent no. 5 from complying with the order passed by this Court.

9] When further enquired, Mr. Kasat submits that respondent no. 5, while applying for revised sanction, has given undertaking to NMC that the structure under question will be removed by him. This undertaking is given on 21-11-2019. The said undertaking is also noted in the order which is allegedly disobeyed by respondent no. 5.

10] That being so, we do not find any substance in the submissions made by respondent no. 5 that the structure under question falls outside the proposed DP Road. In any case and as stated earlier, such status will not absolve him from complying with the order. He never approached this Court to apprise of any such development and/or to modify the order and/or to extend the time for compliance of order. It is only when the petitioner approached this Court, certain steps are taken, that too, by respondent no. 4 by removing STP. Respondent no. 5 has, for no valid reason, removed STP.

11] The submission of respondent no. 5 that he had approached the planning authority for measurement or other such action will be of no relevance in as much as in none of the documents or correspondences made by respondent no. 5 with the planning authority, reference is made to show that the measurement/action is required for compliance of order passed by this Court.

12] It is not known as to for what purpose, respondent no. 5 had made correspondence for measurement of land or for other such action. Be that as it may, since he has not apprised this Court of this development and since nothing is/was placed on record to show that he made any attempt to comply order, we are of the considered view that the inaction at the hands of respondent no. 5 is willful, which amounts to willful disobedience of the Court's order.

13] As such, this is not the first case where we have noticed that Court's order is not complied with but it

appears to us that the leniency shown by the Court in such matters has given a wrong message to the litigants that no action is taken, even if, Court's order is not complied with. The Courts are taken for granted, the orders are not complied and when the other side approaches Court in contempt jurisdiction, then only steps are taken for compliance of order. Such a practice cannot be permitted to continue. A clear message must be conveyed that any disobedience of the Court's orders will be viewed seriously.

14] We will accordingly hear respondent no. 5 on this point. Prior thereto, one final opportunity is granted to him to put forth before us the efforts taken by him to comply the order. So far as respondent nos. 4 and 6 are concerned, the decision will be taken in due course.

15] List for further consideration on 26-3-2026.

(JUDGE)

(JUDGE)

Sumit/wasnik