



71-2026

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**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 Puttewar Vs. Union of India & Ors.)**

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

Court's or Judge's orders.

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Mr. I.S. Charlewar, Counsel for the petitioner.  
Mr. K.N. Shukul, DSGI with Mr. R.N. Tiwari and Mr. P.N.  
Hardas, Counsel for respondent no.1.  
Mr. J.B. Kasat, Counsel for respondent no.4.  
Ms Radhika Bajaj, Counsel for respondent no.5.  
Mr. S.V. Purohit, Counsel for respondent no.6.  
Mr. S.S. Doifode, A.G.P. for the respondent/State.

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**CORAM : ANIL L. PANSARE AND**  
**NIVEDITA P. MEHTA, JJ.**  
**MARCH 26, 2026**

Mr. S.V. Purohit, learned Counsel, appears for respondent no.6, and tendered across the bar written submissions on behalf of respondent no.6.

2] We have gone through the same. It appears that respondent no.6 has requested respondent no.5 to provide alternate accommodation for shifting the substation. First such letter is dated 16/5/2025, i.e., immediately within 20 days of passing order by this Court. Respondent no.6 appears to have also cautioned respondent no.5 that delay in complying with the order may amount to contempt. Respondent no.5, however, did not respond in time.

3] The Counsel submits that respondent no.5 responded for the first time on 14/3/2026. Thus, respondent no.5 responded to respondent no.6's letter

only when contempt petition is lodged. Respondent no.6 has also annexed copy of minutes of meeting dated 14/3/2026. The meeting was attended by the Officials of NMC, MSEDCL and representative of respondent no.5. A perusal of same indicates that couple of places were suggested for shifting the substation. Accordingly, representative of respondent no.5 was instructed to provide an alternate space. It was then resolved to maintain *status quo* on account of the fact that multiple electrical equipments were functional, which was likely to cause difficulty in dismantling the structure.

4] Thus, on 14/3/2026, i.e., after about ten months of passing the order, the respondents or their representatives, have decided to maintain *status quo* on account of the fact that multiple electrical equipments were functional.

5] The Counsel for the petitioner submits that this aspect has, in fact, been considered in the order passed by this Court in paragraph 5.8, which reads thus :

*“5.8 Mr. Purohit, learned counsel for respondent No.6-MSEDCL rightly contends, that it had nothing to do with the sanction, and since the respondent No.5, had shown the location for erection of the sub-station and the transformer, had called upon the respondent No.5 to make payment of the requisite charges, which having been deposited by the respondent No.5, it had erected the sub-station and transformer at the cost and risk of the respondent No.5 and therefore, was not responsible in the matter, regarding violation of the terms of the sanction or the respondent No.5 gobbling up the 24 meters wide DP road. He, however, submits that as of date, since there were four feeder lines going out from the*

*sub-station, it would be impossible to relocate it, for which, he invites our attention to the communication dated 28/02/2020. In our considered opinion, any difficulty in shifting the sub-station or the transformer cannot come in the way of the law taking its course and correcting an illegality. Though an expression of helplessness is being portrayed by the respondent No.6, in our considered opinion, shifting of the substation/transformer/water treatment plant is not an impossibility, but would only require greater effort and expenses by the respondent No.5, with the assistance of the personnel of the respondent No.6. We, therefore cannot condone the illegality committed by the respondent No.5 of making illegal construction of substation/transformer/water treatment plant on the land of 24 meters wide DP road, as it would be setting an absolutely bad precedent, on the basis of which, builders would have a free hand to present a fait accompli, after having committed an illegality.”*

6] As could be seen, the plea put forth by respondent no.6 of multiple electrical equipments being functional, was taken into account, and directions given to remove the structure saying that illegality committed by respondent no.5 of making construction of substation/transformer/water treatment plant on land of 24 meters wide DP road cannot be condoned.

7] Put all together, the picture that emerges is that respondent no.5, and thereafter respondent no.4, have, for no valid reason, complied with the order dated 29/4/2025 passed by this Court. The parties are putting forth certain difficulties, which we take note of only for the purpose of rejection, inasmuch as, none of the parties approached the Court making request to extend the time on account of difficulty to comply with the order within

the stipulated time. It is only when the Contempt Petition is filed, such excuses are put forth.

8] Thus, *prima facie*, the manner in which respondent nos. 4 and 5 have conducted themselves, we feel that they have willfully disobeyed the order. So far as respondent no.6 is concerned, we will consider the plea put forth by him once reply is filed by respondent no.5.

9] We, accordingly, call upon respondent nos. 4 and 5 to show cause as to why punishment under the Contempt of Courts Act, 1971, should not be imposed upon them.

10] List on 6/4/2026.

(JUDGE)

(JUDGE)

Sumit