

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 116 OF 2014

Dilip S/o Mohan Gosavi

.. Petitioner

VERSUS

The State of Maharashtra and others

.. Respondents

None present for the petitioner

Mr. S.M. Jadhav, AGP for the respondent/State

Mr. Y.V. Kakade, Advocate for respondent no.7

CORAM : M.T. JOSHI, J.

DATE : 21/01/2015

ORAL ORDER :

1. None appears for the petitioner.
2. The contents of the petition would show that aggrieved by the purported breach of the order of the status-quo passed by the learned Civil Judge Senior Division, Ahmednagar in an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure, the present petition for punishing the respondents for contempt of the Court's order is filed. It was pointed out on the last date to the learned counsel for the petitioner that the specific provisions of Order 39 Rule 2-A of the Code of Civil Procedure regarding the breach

of the injunction would provide that the application can be filed in the same Court which has passed the order and even otherwise the reference from the said Court would be required even if it is held that the Contempt Petition is maintainable.

3. In the circumstances, at the request of learned counsel for the petitioner, he was directed to satisfy this Court on the question of maintainability of the petition vide the order dated 14/01/2015.

4. Today, however, nobody is present on behalf of the petitioner. The petition is hereby dismissed as not maintainable.

Sd/-
[M.T. JOSHI]
JUDGE

arp/