

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.393 OF 2015
IN
WRIT PETITION NO.7872 OF 2014
&
WRIT PETITION NO.7877 OF 2014**

INDUBAI W/O. SUKHLAL CHAVAN & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for petitioners : Mr. Suraj P. Tiwari
AGP for Respondent/State: Mr. S.S.Dande
Advocate for Respondent No.2 : Mr. S.P.Shah

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**CORAM : S.S. SHINDE & P.R.BORA, JJ.
Dated: November 20, 2015**

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PER COURT:

1] The learned counsel appearing for the respondent No.2 submits that, the decision is taken by the respondent No.2 on the representation of the petitioners in compliance of the order dated 19th March, 2015 passed by this Court in Writ Petition No.7872 of 2014 and fairly conceded that, there is a delay in taking such decision, which is unintentional.

2] In that view of the matter, the order of which disobedience has been alleged, is complied with during the pendency of this Contempt Petition. The Hon'ble Supreme Court in the case of *Suresh Chandra Poddar Vs. Dhani Ram*

*and others*¹ has taken a view that even where the order of court is complied with, subsequent to receipt of notice of contempt, court should show judicial grace and magnanimity in dealing with action for contempt. In that view of the matter, the Contempt Petition is disposed of.

3] Needless to observe, if the petitioners are aggrieved by the decision taken by the respondent No.2 on the representation, the petitioners will be at liberty to challenge the said decision.

[P.R.BORA, J.]

[S.S. SHINDE, J.]

DDC

1 [2002] 1 SCC 766