

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

CONTEMPT PETITION NO.24 OF 2014

ARVIND MANSUBRAO KATKAR.

-VERSUS-

MAYEE POKKIM AYYAR.

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Shri S.D.Kotkar, Advocate for the Petitioner.

Shri B.B.Yenge, Special Counsel a/w Shri V.G.Shelke, AGP for the
Respondent.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 21st December, 2015

Per Court:

1 The Respondent has filed an affidavit in reply dated 19.12.2015, tendered in Court on 21.12.2015. It is stated that the Government would take three months to take a decision and complete the procedure as per the rules and norms, in paragraph 3 of the affidavit.

2 In paragraph 4 of the affidavit, it is further stated that all steps have been taken to implement the order and the Contempt Petition may be disposed of.

3 Shri Yenge, learned Advocate for the Respondent, on

instructions from the Respondent, who is present in the Court, submits that this is a categoric statement being made by which the directions of this Court in paragraphs 4 and 5 of the order dated 10.04.2013 in Writ Petition No.2635/2013 would be implemented. In effect, the Petitioner, who has already been granted promotion in 2012, will stand promoted from 2009 either on the post of Vanpal and/or equivalent post as per the observations of this Court in the said two paragraphs.

4 Shri Kotkar, learned Advocate for the Petitioner, submits that in the light of the contents of paragraphs 3 and 4 of the affidavit dated 19.12.2015 and the categoric statement made by the Respondent that the directions of this Court in paragraphs 4 and 5 of the order dated 10.04.2013 would be implemented within three months, this Contempt Petition can be disposed of. He further adds that in the event this statement is not implemented, it should be deemed to be a willful, deliberate and intentional act on the part of the Respondent which would amount to an aggravated contempt.

5 Shri Yenge, on instructions from the Respondent, submits that the statement as made by the Respondent would be implemented within three months.

6 Shri Yenge further adds that after the Government takes a decision, it would be the Chief Conservator of Forest (Territorial), Aurangabad who would eventually issue the requisite order.

7 Considering the above, this Contempt Petition is disposed of recording the statement of the Respondent as set out in paragraphs 3 and 4 of the affidavit 19.12.2015.

8 Needless to state, in the event this statement as well as the directions of this Court in paragraphs 4 and 5 of the order dated 10.04.2013 are not complied with, the act of the Respondent shall then amount to a willful, intentional and deliberate act of disobedience.

(RAVINDRA V. GHUGE, J.)