

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CONT. PETITION NO. 606 OF 2015
IN WP/1476/2014

DAVID SAMUL GANTHUR AND OTHERS
VERSUS

K.P. BAKSHI AND OTHERS

...

Advocate for Petitioners : Mr.Nagarkar Kiran M.
AGP for Respondents/State: Mr.S.K. Kadam.

...

CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: DECEMBER 17, 2015

...

Heard.

2 Learned Counsel for the petitioners submits that though decision is taken by the respondents on 12th January, 2015 in adherence to the directions issued by this Court by order dated 14th August, 2015 in Writ Petition No. 1476 of 2014, the decision has not been taken within the stipulated period.

3 The learned AGP submits that the order of which disobedience is alleged has been complied with. However, he concedes that the respondents have not taken the decision within time. However, application

for extension of time was filed and time was extended.

4 Upon hearing the learned Counsel for the parties and perusal of the reply filed by the respondents, it appears that the respondents have tendered unconditional apology for the delay in taking decision. The fact that decision has been taken is not disputed.

5 The Supreme Court in case of **Suresh Chandra Poddar vs. Dhani Ram and others [(2002) 1 SCC 766]** 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.

6 In that view of the matter, contempt petition stands disposed of.

It is needless to observe that once copy of the decision is received by the petitioners, the petitioners can seek recourse to an appropriate remedy as available in law, for taking exception to such decision.

(P.R. BORA, J)

(S.S. SHINDE, J)