

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 352 OF 2011
IN
CRIMINAL WRIT PETITION No. 1777 OF 2010

Mahesh Shekhar Das. . ..Petitioner.

Versus

Anil Deshmukh and Others. ..Respondents.

Mr. S. S. Gadre i/b Vijay Killedar for the Petitioner.

Mr. A. R. Patil, the learned AGP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **April 28, 2015.**

P. C. :

1. By this contempt petition, the Petitioner is alleging that Respondent Nos.2 and 3 have committed willful breach of the order dated 30th June 2010 passed by the Division Bench of this Court in Criminal Writ Petition No. 1777 of 2010. By the said order, Respondent Nos.2 and 3 were directed to decide the Petitioner's representation within four weeks.

2. In response to this contempt petition, Respondent No. 2 has filed affidavit dated 4th June 2012. Paragraph 11 of the said affidavit reads thus :

"I say that the Office of Superintendent of Police, Sangli received fax of the letter along with order on 29.07.2010. Hereto annexed and marked as EXHIBIT-"3 colly" are the copies of the said letter alongwith order received on 29.07.2010. On the same day, Respondent No.2 directed the Sub-Divisional Police Officer, Jath, Division Jath, to conduct the enquiry and submit the report within the period of seven days. I further say that the SDPO, Jath Division conducted enquiry and submitted the report to this Respondent on 14.08.2010. The Petitioner was intimated by the SDPO, Jath, Division Jath by letter dated 14.08.2010 about completion of enquiry and acknowledgment has been received on 16.08.2010 against the said information. Hereto annexed and marked as EXHIBIT-"4" is a copy of the said letter dated 14.08.2010 with acknowledgment of the Petitioner. Respondent No. 2 intimated to Respondent No. 3 about the completion of enquiry by letter dated 30.08.2010. Hereto annexed and marked as EXHIBIT- "5" is a copy of the said letter dated 30.08.2010."

3. Perusal of the above averments, which are not controverted by the Petitioner, shows that the Petitioner's representation was decided within the stipulated time and outcome was also intimated to the Petitioner by the letter dated 14th August 2010. Thus, no case is made out for proceeding against Respondent Nos.2 and 3 for contempt. Contempt petition is, therefore, dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]