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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.34 OF 2013

IN

WRIT PETITION NO.797 OF 2011

Dr. Jayashree Sanjay Swami

..Petitioner.

V/s.

Dr.Sunanda Krishna Naik & Ors.

..Respondents.

Mr.Rahul P. Walvekar for the petitioner.

Mr.Aniket U. Nikam for the respondent Nos.1 & 11 to 15.

Mr.A.D.Magdum i/b. S.S.Patwardhan for the respondent No.4.

Mrs.M.P.Thakur, AGP for the respondent Nos.2 & 3.

**CORAM : A.S.OKA AND
A.K. MENON, JJ.****DATED : 9TH MARCH, 2015****P.C. :-**

1. The first respondent is personally present. Heard learned counsel appearing for the petitioner and the concerned respondents. The breach alleged in this contempt petition is of the directions contained in the judgment and order dated 26th August, 2011 in Writ Petition No.797 of 2011 passed by this Court. The learned counsel appearing for the petitioner invited our attention to paragraph 43 of the said judgment and order. He pointed out that though the Kolhapur Municipal Corporation was aware of the said directions, in the meeting of the Advisory Committee held on 20th October, 2012 the first respondent who was the Secretary of the

Advisory Committee opened the envelope and acted contrary to the said directions.

2. The first respondent has filed an affidavit dated 9th March, 2015. The first respondent has tendered an unconditional apology to this Court for committing breach of the order dated 26th August, 2011 in Writ Petition No.797 of 2011. Her statement in paragraph 3 of the affidavit is that the first respondent will not hereafter commit any breach of the directions issued by this Court.

3. Considering the apology tendered in paragraph 3, the same deserves to be accepted. Considering the apology by the first respondent, who was a member Secretary of the Advisory Committee, it is not necessary to proceed against the other respondents,

4. Accordingly, the notice issued on 11th February, 2013 is discharged. The contempt petition is disposed of.

(A.K.MENON, J.)

(A.S.OKA, J.)