

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 309 OF 2014

Rajendra S. Kasare	..	Petitioner
V/s		
Union of India & Ors.	..	Respondents

Ms. Rachana Chavan with Ms. Suvarna G. Pratap for the petitioner.
Ms. S.V. Bharucha with Mr. R.C. Master for respondent nos.1 to 3 and 6.

**CORAM: MOHIT S. SHAH, C.J. &
B.P. COLABAWALLA, J.**

DATE : 27 FEBRUARY 2015

P.C.:

Learned counsel for respondent nos.1 to 3 and 6 seeks leave to place on record a photostat copy of the receipt dated 25 February 2015 given by the petitioner – R.B. Kasare, which reads as under:-

“This is to certify that payment of all outstanding medical bills till date have been made to me in entire satisfaction of Hon'ble Bombay High Court Order dated 25 Mar 2014 and nothing is outstanding on account of medical bills submitted by me.”

Leave as prayed for is granted. Copy of the receipt is taken on record.

2. It is obvious that in view of the receipt about payment received by the petitioner, nothing would survive in this contempt petition.

3. Learned counsel for the petitioner, however, submits that she would like to take further instructions in the matter from the petitioner.

4. Having regard to the fact that the petitioner has received the payment as per the above receipt (payment of all outstanding medical bills till 25 February 2015), we are of the view that this contempt petition would not survive. The contempt petition is accordingly disposed of with liberty to the petitioner to take out fresh proceedings in case of non-payment of subsequent bills.

5. Learned counsel for the petitioner, however, prays for costs.

We note that in prayer clause (c), the petitioner has prayed for costs of Rs.5,00,000/- towards compensation or any other costs for the mental agony suffered by him at the hands of the

respondents, which was the prayer in the main petition. However, in the facts and circumstances of the case, we are not inclined to award any costs. But we make it clear that in case the petitioner is required to file any other petition on account of any delay or inaction on the part of the respondents in paying the petitioner's medical bills, the Court will certainly consider awarding costs.

It is further clarified that these observations are made on the basis that the petitioner himself takes a reasonable stand while submitting the medical bills for reimbursement and also while dealing with any queries or clarifications which may be sought by the respondents.

CHIEF JUSTICE

(B.P. COLABAWALLA, J.)