

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.81 OF 2014 IN
WRIT PETITION NO.1209 OF 2013 [D]

[Vivek Gajiram Kadgaye .vs. Satish Mendhe]

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

Court's or Judge's orders

Shri N.D. Khamborkar, counsel for the petitioner,
 Shri N.R. Rode, AGP for the respondent.

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CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.
DATED : JUNE 18, 2015.

Heard.

The contempt petition is absolutely misconceived. The petitioner has sought action against the respondent on the ground that though this court had, by an order dated 13.1.2014, directed the respondent to decide the representation without considering the merits of the matter, the respondent has considered the merits.

On a reading of the order, dated 13.1.2014 of which the contempt is alleged, it is crystal clear that there is no direction whatsoever to the respondent, not to decide the representation on merits. It is clearly stated by this Court in the order in Writ Petition No.1209/2013 that the court was not observing anything on the merits of the controversy. There is nothing in the order which restrains the respondent from deciding the representation on merits. In fact, it was necessary for the respondent to decide the representation on merits otherwise the decision would have been bad in law.

Hence, the contempt petition is dismissed, with no order as to costs.

JUDGE

JUDGE