

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

**CONTEMPT PETITION NO.197/2013 IN WRIT PETITION NO.5567/2011**

Goverdhan Dhaniprasad Usarbarse

..Versus..

Shri J.V. Dhakate and another

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

**CORAM : Z.A. HAQ, J.**

**DATE : 15.6.2015**

Heard Shri P.D. Meghe, the learned advocate for the petitioner  
and Shri S.C. Mehadia, the learned advocate for the respondents.

The petitioner/employee complains about the disobedience of  
the judgment passed by this Court in Writ Petition No.5567/2011 on 7<sup>th</sup>  
August, 2012. The learned advocate for the respective parties submit  
that the petitioner has been reinstated pursuant to the above referred  
judgment, though after sometime and not immediately after the  
judgment was delivered. Shri Mehadia, the learned advocate for the  
petitioner seeks time to verify from the petitioner as to whether the  
entire amount has been paid or not. The respondent has filed an  
affidavit on the record stating that the amount is paid. In my view, the  
judgment has been complied.

The learned advocate for the respondents has submitted that the judgment passed in Writ Petition No.5567/2011 was challenged in letters patent appeal and then before the Hon'ble Supreme Court and, therefore, the respondents had not implemented the judgment. In these circumstances, it cannot be said that there is any wilful disobedience of the judgment.

I see no reason to take cognizance of the complaint under the provisions of the Contempt of Courts Act, 1971. The petition is disposed. Notice is discharged. In the circumstances, the parties to bear their own costs.

**JUDGE**