

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

CONTEMPT PETITION NO. 182/2014
IN WRIT PETITION No. 6642/2013.

M/s. Hotel Ashiyana

VERSUS

The Collector (State Excise Department) Amravati and others.

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

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI
& A.P. BHANGALE, JJ.

DATED : JANUARY 05, 2015.

Heard Shri A.L. Deshpande, learned
Counsel for the petitioner and Mrs. K.S. Joshi, learned
A.G.P. for respondent nos. 1 and 1-A.

Perused orders of this Court dated
06.02.2014. According to Shri Deshpande, learned
Counsel, thereafter, when the matter was taken up by
the respondent no.1, respondent no.1 on 15.04.2014
ignored the effect of orders of this Court dated

06.02.2014, and indirectly again committed the same mistake. He points out that on 16.01.2014 this Court has also taken cognizance of order dated 09.01.2014. Our attention is also invited to copy of that order placed along with the Contempt Petition.

Learned A.G.P. relies upon the reply-affidavit. She submits that the respondent no.1 has looked into the controversy and decided the appeal in terms of directions dated 06.02.2014, to the best of his capacity.

We have perused the records. Order dated 15.04.2014 shows that in terms of orders dated 06.02.2014, passed by this Court, the matter was taken up by the Collector. During this process he has put certain questions to both the sides and found answers given not satisfactory and not sufficient. Because of this application of mind, he has found it not necessary to interfere with the earlier orders passed on 9.1.2014 and 23.4.2013, and did not alter them. Thus, it cannot be said that the respondent no.1 has refused to exercise the jurisdiction available to him. He has

extended opportunity of hearing and taken said decision. Whether the decision is in accordance with law or not can be looked into in appropriate jurisdiction by the competent Court.

No case for taking cognizance under Contempt jurisdiction is made out. Hence, with liberty to the contempt petitioner to take recourse to such other remedy available to him under law, we dispose of the Contempt Petition. No costs.

JUDGE

JUDGE

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