

**HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

CONTEMPT CASE No. 335 OF 2015

P.C: (per the Hon'ble Sri Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

In this contempt case, the petitioner alleges wilful disobedience of the direction issued by the learned single Judge in Writ Petition No.15728 of 2010 and confirmed by the Division Bench vide order dated 11-04-2012 in Writ Appeal No.415 of 2012. By these orders, the respondents were directed to take decision on the application made by the petitioner within six weeks from the date of receipt of the order, on merits of the case. This order was carried to the Supreme Court in SLP and during the pendency of the SLP, the petitioner had filed Contempt Case No.1850 of 2012 alleging contempt of the very same order dated 11-04-2012 passed in Writ Appeal No.415 of 2012. The contempt case was however disposed of by the following order:

“It is stated that against the order of this Court dated 11-4-2012 passed in WA No.415 of 2012, Special Leave Petition has been filed before the Hon'ble Supreme Court and the order of this Court has been stayed.

2. In view of the same, we are inclined to close the contempt case with liberty to the petitioner to file a petition to revive the contempt case as and when the SLP is disposed of by the Hon'ble Supreme Court. The contempt case is accordingly closed. Consequently, miscellaneous petitions, if any, pending in this case shall also stand closed. No order as to costs.”

It is not in dispute that the SLP filed by the respondents has been dismissed by the Supreme Court and in view thereof, learned counsel for the respondents submits that the respondents shall consider and decide the petitioner's application as per the order dated 11-04-2012 within four weeks from today. His statement is recorded

and accepted.

It is made clear that if the application is not decided as per the directions issued by this Court vide order dated 11-04-2012 within the stipulated time, it would be open to the petitioner to seek revival of this contempt case. It is needless to mention that the respondents shall communicate their decision to the petitioner within a period of ten days from the date of decision. All contentions on merits are kept open.

Contempt case is disposed of.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

27-02-2015

ks