

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

**CONTEMPT PETITION NO. 533 OF 2015
IN
WRIT PETITION NO. 1152 OF 2015**

Udhav Laxman Vaidya .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Vijay A. Dhakane, Advocate for the Petitioner.

Shri M. B. Bharaswadkar, A.G.P. for the Respondents/State.

**WITH
CIVIL APPLICATION NO. 13407 OF 2016
IN
CONTEMPT PETITION NO. 533 OF 2015**

Ashok Maroti Atram .. Applicant

Versus

Udhav Laxman Vaidya .. Respondents

Shri M. B. Bharaswadkar, A.G.P. for the Applicant.

Shri Vijay A. Dhakane, Advocate for the Respondent.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 03RD OCTOBER, 2016.

PER COURT :

. The present contempt petition is filed on the ground that the order of this Court is not complied with.

2. We have heard Mr. Dhakane, the learned counsel for the contempt petitioner and the learned Assistant Government Pleader.

3. On 19.08.2016 we had observed that, on 05.04.2016 the matter was adjourned at the request of the learned A. G. P. to enable him to make statement about compliance of the order of which contempt was alleged. We had adjourned the matter to 07th September, 2016. On 07th September, 2016, the learned A. G. P. had submitted that, inspite of the fact that, said order is communicated to the respondent No. 2, there is no response received from the respondent No. 2. As such, this Court had issued bailable warrant to the respondent No. 2 to secure his presence.

4. The respondent No. 2 is present in the Court. The civil application is filed by the respondent No. 2. In the said civil application it has been stated that the order dated 19.08.2016 was not received by him as he was working in the Mantralaya and he could not appear before the Court because of the difficulties stated in the said application. He has tendered unconditional apology for the same. The said explanation is accepted and the order issuing bailable warrant as not served, is recalled.

5. As the order stands complied though belatedly, the contempt stands purged. The contempt petition as such is disposed of. No costs.

6. The civil application also stands disposed of.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Oct. 16