

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CONTEMPT PETITION NO. 53 OF 2016
IN WP/5013/2015

ADARSHA GRAMIN SHIKSHANPRASARAK MANDAL
THROUGH ITS SECRETARY MALLIKARJUN NAGARAO
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr.Awale G.L.
AGP for Respondents/State: Mr.S.K. Kadam.

...

CORAM:S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: MAY 02, 2016

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Heard.

2 In pursuance of the notices issued to the respondents, respondent No.3 has filed affidavit-in-reply. It is stated in the said affidavit that the order of which disobedience is alleged in this contempt petition has been complied with. In paragraph 4 of the said affidavit, unconditional apology has been tendered for the inconvenience caused to this Court as the deponent could not decide the

applications of the petitioner within time adhering to the directions issued by this Court.

3 Therefore, upon perusal of the affidavit-in-reply filed by respondent No.3, it is clear that the order of which disobedience is alleged in this contempt petition, has been complied with. Though, there is delay in complying with the directions issued by this Court, respondent No.3 has tendered unconditional apology.

4 The Supreme Court in case of **Suresh Chandra Poddar vs. Dhani Ram and others [(2002) 1 SCC 766]** has taken a view that even where the order of court is complied with, subsequent to receipt of notice of contempt, court should show judicial grace and magnanimity in dealing with action for contempt.

5 In that view of the matter, contempt petition stands disposed of.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)