

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

**CONTEMPT PETITION NO. 287 OF 2016
IN WP/10176/2012**

SHANKAR NIVRUTI TAMBDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

AND
**CONTEMPT PETITION NO. 288 OF 2016
IN WP/10211/2012**

DHANANJAY DHONDIRAM PHAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.R.I.Wakade, advocate for petitioners in both petitions

Mr.P.N.Kutti and Mr.V.S.Badakh, AGPs for State respective petitions

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : JULY 20, 2016

PER COURT :

Heard.

2. The directions/orders of which disobedience has been alleged in these Contempt Petitions have been complied with by the

respondents. However, there is delay in compliance. The respondents for that purpose have tendered unconditional apology.

3. The Supreme Court in the case of **Suresh Chandra Poddar Vs. Dhani Ram and others** reported in (2002) 1 SCC 766 held that,

"Time and again this Court has cautioned as to when and in what circumstances contempt of court jurisdiction is to be exercised. Such a power is not intended to be exercised as a matter of course. Courts should not feel unduly touchy when they are told that the orders have not been implemented forthwith. If the court is told that the direction or the order of the court has been complied with subsequently, albeit after receipt of notice of contempt, we expect the courts to show judicial grace and magnanimity in dealing with the action for contempt."

4. In the light of discussion hereinabove, in our opinion, ends of justice would meet if the unconditional apology tendered by the cotemnor is accepted and contempt proceedings are dropped.

5. Accordingly we accept the unconditional and unqualified apology. Contempt proceedings stands dropped. The notice stands discharged.

6. Both the Contempt Petitions stand disposed of.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp