IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CONTEMPT PETITION NO. 213 OF 2016
IN WP/8166/2015

SANDIPAN GANGARAM KALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
...
Advocate for Petitioners : Mr. Kendre N.D.
AGP for Respondent/State : Mr. P.N.Kutti
...
CORAM : S.S. SHINDE & SANGITRAO S. PATIL, JJ.
Dated: June 15, 2016
…

PER COURT :-

The learned A.G.P. has tendered across the Bar affidavit in reply filed on behalf of Respondent No.3. Relying upon the said affidavit in reply, the learned A.G.P. states that the order of which disobedience has been alleged is complied with.

2. The learned counsel appearing for the petitioner has not disputed the fact that the representation of the petitioner has been decided. However he submits that the said representation has not been decided within time as directed by this Court.

3. Upon perusal of para 3 of the affidavit in reply, Respondent No.3 has tendered an unconditional apology for non-compliance of the directions within time, as ordered by this Court.

4. It is true that the respondent Authorities have not decided the representation within four months, however the fact remains that, the representation is now decided. The Supreme Court in the case of ***Suresh Chandra Poddar vs. Dhani Ram and others***[1] 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. Keeping in view the judgment of the Supreme Court, we do not think it necessary to adjudicate further this Petition. Hence the Petition stands disposed of.

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

SGA

1***(2002) 1 SCC 766***