

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CONTEMPT PETITION NO. 344 OF 2015
IN WP/8847/2012**

NAGORAO HULLAJI FAILWAD
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Palve Pradeep K.
AGP for Respondent/State : Mr. S.D. Kaldate

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: February 23, 2016

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PER COURT :-

This Contempt Petition alleges the willful disobedience of the order passed by the Division Bench of this Court in Writ Petition No. 8847 of 2012. The Division Bench of this Court, by the said order directed the respondents to take decision on the representations tendered by the petitioner, on 5th February, 2009, 28th September, 2010, 17th July, 2011 and 22nd June, 2012, in accordance with the recommendations made by the Commissioner for Woman and Child Development, Maharashtra State, Pune on 23rd June, 2009, as expeditiously as possible, preferably within six months from 14th January, 2013.

2. The learned A.G.P. appearing for the State has tendered across Bar the Government Resolution No. निरीगृ २०१३/प्र.क.१७४/का-८ dated 19th December, 2015 issued by the Woman and Child Development Department, Government of Maharashtra. The same is taken on record.

3. By way of issuing the said Government Resolution, the decision is taken on the representations filed by the petitioner. It is true that, the decision is not taken within six months from issuing directions by this Court, however, 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.

4. In that view of the matter, we hold that, there is no willful disobedience as such. In that view of the matter, the Contempt Petition stands disposed of.

¹(2002) 1 SCC 766

5. At this stage, the learned counsel appearing for the petitioner submits that, though the said Government Resolution is issued belatedly after two years, yet the petitioners have not received benefits, which would flow from the said Government Resolution. In that respect, we cannot make any observations since our adjudication is strictly confined to the Contempt Petition.

(**P.R. BORA, J.**)

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

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