

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION STAMP NO. 32966 OF 2016

IN

CONTEMPT PETITION NO. 15 OF 2016

(Shaikh Wasim Aziz Vs. Ishrat Shaikh Wasim and others)

Mr. P.S. Paranjape, Advocate for the applicant
Mr. S.W. Munde, A.P.P. for the respondent/State
Mr. G.L. Kedar, Advocate holding for Mr. D.B. Thoke,
Advocate for respondent No.1 (petitioner in Contempt
Petition)

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

DATE : 21st October, 2016

PER COURT :

As per the order dated 14th September, 2016, non-bailable warrant was issued against the present applicant (respondent No. 2 in Contempt Petition), since he did not attend the Court despite receiving the notice that was issued to him as per the order dated 23rd August, 2016. Today, the applicant has appeared before the Court at his own and surrendered himself to the custody of the Court. On his being surrendered, he is taken into custody.

2. Today, the applicant has filed this application

seeking his release on personal bond as he desires to file reply to the show-cause notice. He further prays that the non-bailable warrant issued against him may be recalled since he has surrendered himself before the court.

3. Heard the learned counsel for the applicant.

4. The applicant has appeared before the Court at his own. Since his presence is secured, there is no reason to keep the non-bailable warrant alive for being executed. We, therefore, recall the non-bailable warrant. If it is already issued, the Registry of this Court shall inform the Serving Officer concerned to send it back unexecuted.

5. The applicant shall execute personal bond in the sum of Rs. 10,000/- (rupees ten thousand) abiding himself to attend the Court on each and every date in respect of the present contempt proceeding unless his presence is specifically dispensed with for any good reason on his application or on the application filed on his behalf. On executing personal bond by the applicant, as directed above, he be released.

6. Since the applicant wants to file reply to the show-cause notice in the Contempt Petition, we extend him time till 17th November, 2016. Stand over to 17th November, 2016 as regards Contempt Petition No. 15/2016.

7. The present civil application is disposed of in the above terms.

8. The applicant to act upon authenticated copy of this order.

[SANGITRAO S. PATIL]
JUDGE

[S.S. SHINDE]
JUDGE

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