

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 18/2015
IN
WRIT PETITION NO. 639/2014
AND
STAM NUMBER (APPLN.) NO.66 OF 2016

CONTEMPT PETITION NO. 18/2015
IN
WRIT PETITION NO. 639/2014

MRS. SUHASINI S. GOVEKAR
AND TWO OTHERS. PETITIONER.

V/s.

SHRI GOPAL JHA,
UNDER SECRETARY OF THE
GOVT. OF INDIA, MINISTRY OF
HOME AFFAIRS. RESPONDENT.

Mr. D. Pangam, Advocate for the petitioners.

Mr. Mahesh Amonkar, Central Govt. Standing Counsel for the
respondent.

STAM NUMBER (APPLN.) NO.66 OF 2016

SHRI GOPAL JHA,
UNDER SECRETARY OF THE
GOVT. OF INDIA, MINISTRY OF
HOME AFFAIRS. APPLICANT.

V/S.

MRS. SUHASINI S. GOVEKAR
AND TWO OTHERS. RESPONDENTS.

Mr. Mahesh Amonkar, Central Govt. Standing Counsel for the applicant.

Mr. D. Pangam, Advocate for the respondents.

**CORAM :- F.M. REIS &
K.L. WADANE, JJ.**

Date : - 7TH JANUARY, 2016.

P.C. :

Mr. D. Pangam, learned Counsel appearing for the petitioner in the contempt petition has pointed out that despite the directions issued by this Court by an order dated 3rd February, 2015 in Writ Petition No.639/2014 to decide the application under Section 9(2) of the Citizenship Act, 1955 within a period of six months, no decision has been taken by the respondent. The learned Counsel further points out that without seeking extension to comply with the said directions, the respondent chose to file an affidavit, *inter alia*, seeking a relief to extend the time to comply with the directions of this Court for a period of six months. The learned Counsel points out that this attitude on the part of the respondent cannot be condoned, as it appears that the respondents are taking orders of the Court for granted and, as such, stern action deserves to be taken against the respondent for not

complying with the directions of this Court.

2. On the other hand, Mr. Mahesh Amonkar, learned Central Govt. Standing Counsel appearing for the respondent has submitted that the respondent filed an affidavit, *inter alia*, disclosing that as the subject decision would affect many other persons similarly situated, some directions were to be obtained from the State Government, as well as Central Agencies before final decision could be taken by the respondent. The learned Counsel further submits that the respondent has also filed an application, seeking extension of time to comply with the directions of this Court by a period of four months.

3. We have considered the submissions of the learned Counsel and we have also gone through the records. We do not appreciate the attitude on the part of the respondent in not complying with the directions of this Court to take a decision with regard to the subject matter of the writ petition and we record our strong disapproval to such conduct. The respondent should have at least taken appropriate steps to seek for extension of time to comply with the directions of this Court. The attitude of the respondent, in this connection, deserves to be condemned and we hope that there is no occasion in future to say

so.

4. In the peculiar facts and circumstances of the case, and considering the contention of Mr. Amonkar, learned Counsel appearing for the respondent that the subject decision would affect many other persons similarly situated, we find it appropriate, and as a last opportunity, to extend the time to comply with the directions issued by this Court vide order dated 3rd February, 2015 in the writ petition, on or before 31st March, 2016. It is made clear that no further extension would be granted to the respondent under any circumstances.

5. Both the applications stand disposed of in the above terms.

K.L. WADANE, J.

F.M. REIS, J.

ssm.