

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.421 OF 2014

Joshi Kamlakar Udhdav

...Petitioner

vs.

Ashok Misal and Others

...Respondents

Mr. S.G. Kundle, for the Petitioner

Ms. Nisha Mehra, AGP for the Respondent-State

Mr. P.G. Mahabale, Superintendent, Z.P, Thane present.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 26, 2016**

PC.:

. Heard the learned counsel for the parties.

2. We find that the Respondent No. 1- Education officer instead of passing any order and communicating it to the Petitioner, has communicated vide letter dated 20th November, 2013 to Respondent No. 2 - Amit Education Society that for want of relevant documents, the proposal is rejected for the present.

3. The learned counsel for the Petitioner submits in the communication dated 25th March, 2013 issued by Respondent No. 2 Amit Education Society has mentioned about non availability of

certain documents, however few documents were sent by it to the Education Officer. Thereafter instead of passing any order and communicating the same to the Petitioner, the Education Officer has communicated the aforesaid decision dated 20th November, 2013 to the Institute.

4. Having considered the submissions made by the learned counsel for the parties and having gone through the documents which have been produced for our perusal by the Petitioner, we are inclined to dispose of this Contempt Petition by directing Respondent No. 1 – Education Officer to pass a fresh reasoned order on the basis of communication dated 25th March, 2013 received from the Education Society and taking into consideration the documents as may be submitted by the Petitioner before him within two weeks from today.

5. The decision as aforesaid be taken by Education Officer within four weeks from the date of receipt of further documents from the Petitioner. The Petition stands disposed of as such.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)