

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CONTEMPT PETITION NO. 8 OF 2016

IN

WRIT PETITION NO. 6029 OF 2012 (D)

Chandrbhan Harishchandra Parate

-VS-

Ms Babita G.Giri, Member Secretary, Scheduled Tribes Caste Certificate
Scrutiny Committee, Nagpur.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.P.Bhandarkar, counsel for the petitioner.
Mr. N.H.Joshi, AGP for the respondent.

CORAM : SMT. VASANTI A. NAIK &
V. M. DESHPANDE, JJ.

DATE : 08.03.2016.

By this contempt petition, the petitioner seeks action against the respondent for willful disobedience of the directions in the judgment, dated 19/09/2013 in Writ Petition No.6029 of 2012.

According to the petitioner, though the Scrutiny Committee, Nagpur was directed to decide the caste claim of the petitioner within a period of three months from the judgment, dated 19/09/2013 and though the time to decide the caste claim was extended by a period of nine months, the respondent had deliberately disobeyed the direction in the judgment, dated 19/09/2013 and the subsequent order granting extension of time to decide the caste claim.

Shri Joshi, the learned Assistant Government Pleader for the respondent, submitted by referring to the affidavit-in-reply that the caste claim of the petitioner is decided on 01/02/2016 and the copy of the order is received by the petitioner on 05/02/2016. It is stated that the delay caused in deciding the caste claim is due to administrative exigencies. It is stated that there is a huge pendency of cases before the Scrutiny Committee and a lot of time is required for the vigilance enquiry. It is stated that there are several matters in which a direction

is issued for the disposal of the caste claim within a time frame and in the aforesaid set of facts, the caste claim of the petitioner could not be decided within the period specified in the judgment dated 19/09/2013.

On hearing the learned counsel for the parties, we find that the respondent has not deliberately disobeyed the directions in the judgment, dated 19/09/2013 and the subsequent order of extension. We find that there is a heavy pendency of matters before the Caste Scrutiny Committee and hence, there was some delay in deciding the caste claim. Since the caste claim of the petitioner is decided on 01/02/2016, we do not intend to proceed with the contempt petition any longer.

The contempt petition is disposed of with no order as to costs.

JUDGE

JUDGE