

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

CONTEMPT PETITION NO.54 OF 2016

IN

WRIT PETITION NO.1190 OF 2014

Sou. Sunita Sunil Gujar

-VS-

Smt.V.P. Naik, Joint Commissioner/Vice Chairman, Scheduled Tribe Caste Scrutiny Committee,
Adiwasi Vikas Bhawan, Giripeth, Nagpur and ors

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

Court's or Judge's Orders.

Mr.R.J. Shinde, counsel for the petitioner.
Mrs.Rashi Deshpande, AGP for the R-1 to 3.

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

DATE : APRIL 6, 2016.

By this contempt petition, the petitioner has sought action against the respondents for willful disobedience of the order, dated 21.4.2015 in Writ Petition No.1190 of 2014.

It is the case of the petitioner that though this Court had directed the Scrutiny Committee to decide the caste claim of the petitioner, within a period of six months from 21.4.2015, the Scrutiny Committee has not decided the caste claim. It is stated that the respondents have willfully disobeyed the order of this Court in Writ Petition No.1190 of 2014.

Mrs. Deshpande, the learned Assistant Government Pleader has tendered an affidavit-in-reply in the Court today. It is stated in the affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 that the delay is not intentional. It is stated in the affidavit-in-reply that the

Committee had received 2252 cases for verification from January, 2015 to November, 2015. It is stated that the pendency of cases upto 2014 was 4062 and the Scrutiny Committee has decided 2245 cases on merits. It is stated that in the absence of the police personnel to conduct the vigilance enquiry, it is not possible for the Committee to decide the caste claims despite best efforts. In the aforesaid set of facts, the respondents have tendered an unconditional apology and have sought four months time to decide the caste claim of the petitioner.

Shri Shinde, the learned counsel for the petitioner states that the petitioner would not be aggrieved if her caste claim is decided within a period of four months.

Since we do not find that the delay in deciding the claim is deliberate, by accepting the statement made on behalf of the respondent Nos.1 to 3, we dispose of the contempt petition with no order as to costs.

JUDGE

JUDGE

!! BRW !!