

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

CONTEMPT PETITION NO.154/2016

IN

WRIT PETITION NO. 6140/2015 (D)

Niranjan s/o Bhashkar Bramhne and others

...Versus...

Mrs. Siddharth Vinayak Kane, Vice Chancellor, Rashtrasant Tukdoji Maharaj
Nagpur University, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri I.G. Meshram, Advocate for petitioners
Shri P.B. Patil, Advocate for respondent no.1
Ms Tajwar Khan, AGP for respondent no.2
Shri V.P. Marpakwar, Advocate for respondent no.4

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATE : 02.09.2016

By this contempt petition, the petitioners seek an action against the respondents for wilful disobedience of the directions of this Court in the order, dated 3.3.2016 in Writ Petition No.6140/2015.

We do not find any direction whatsoever in our order, dated 3.3.2016. The following observations were made by us while disposing of the writ petition.

“We find that the grievance of the petitioners stands redressed at this stage, as the respondent no.7 would remain to be the officiating Principal in the respondent no.6 – College only for a few days from today.

After the seniority list is revised within a short time, admittedly, the respondent no.7 would not be the senior most teacher in the said college (since this fact is admitted even by the Counsel for the respondent no.7). Otherwise also, the approval to the appointment of the respondent no.7 as an officiating Principal is till 31.03.2016 only. The Management has also agreed to look into the Government Circular and consider taking action against the respondent no.7, if necessary.”

It is apparent from the aforesaid order that there is no direction whatsoever to any of the respondents to perform any particular act or duty. The statement that the Management has also agreed to look into the Government Circular and consider taking action against the respondent no.7, if necessary, is not in the form of a direction. In the said sentence it is only recorded that the Management may take action, if it is necessary. We fail to gauge why the petitioners have approached this Court in a contempt petition for seeking action against the respondents. It is well settled that an action for contempt of Court could be initiated against a party only if the party has deliberately floated the clear and specific directions of a Court. Since we do not find any directions in our order, dated 3.3.2016 there was nothing to be complied with by the respondents.

Hence, we dispose of the contempt petition with costs.

JUDGE

JUDGE

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

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