

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.341/2016 IN WRIT PETITION NO. 4644/2014 (D)
 (ANKITA VINOD BATLE **VERSUS** VINOD PATIL, CHAIRMAN OF S.T. CERTIFICATE SCRUTINY
 COMMITTEE, AMRAVATI & OTHERS)

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

Court's or Judge's orders

Shri A.I. Shaikh, counsel for the petitioner.
 Ms T. Khan, A.G.P. for the respondents.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : DECEMBER 7, 2016.

By this contempt petition, the petitioner seeks action against the respondents for willful disobedience of the order, dated 10.12.2014 in Writ Petition No.4644 of 2014.

It is stated on behalf of the petitioner that though the scrutiny committee was directed to decide the caste claim of the petitioner within one year from 05.01.2015, the scrutiny committee has not decided the same till date.

Ms Khan, the learned Assistant Government Pleader appearing for the respondents, states on instructions that the caste claim of the petitioner could not be decided as there is a shortage of vigilance officers for conducting the vigilance enquiry. It is stated that though the scrutiny committee is desirous of deciding the caste claims expeditiously, due to the heavy pendency of the caste claims and due to the absence of adequate vigilance officers, the caste claim of the petitioner could not be decided within the

time frame. It is stated that in this case, when the petitioner was asked to produce the documents and was served with a notice, the petitioner has sought for some time on 30.11.2016. It is stated that since the education of the petitioner was protected by the order of which the contempt is alleged, the petitioner should not have filed the contempt petition, specially when the petitioner is aware that it is beyond the control of the scrutiny committee to decide the caste claims expeditiously.

It cannot be said in the circumstances of the case that the respondents have deliberately and intentionally flouted the order of this Court. It appears that despite the efforts of the committee, the committee could not decide the caste claim of the petitioner. As rightly submitted on behalf of the respondents, since the education of the petitioner was protected, the petitioner should not have been aggrieved by the failure on the part of the committee to decide the caste claim within a time frame.

Since we do not find any cause for proceeding with the contempt petition any further, we dispose of the same with no order as to costs.

JUDGE

JUDGE

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