

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

CONTEMPT PETITION NO. 238 OF 2014.

(NASIR KHAN MAJID KHAN...VS..STATE OF MAH. THR. PSO YAVATMAL & ANR.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JANUARY 07, 2016.

Heard Shri Mir Nagman Ali, advocate for the
petitioner and Ms S.S. Jachak, A.G.P. for the respondent No.1.

The grievance of the petitioner is that inspite of
the order passed by the learned Magistrate directing the
Police Station Officer, Police Station, Yavatmal City to release
five cattle claimed by the petitioner, the cattle were not
released. It is undisputed that now the cattle have been
released and were given in custody of the petitioner. The
grievance of the petitioner is further that the respondents
have unnecessarily delayed the release of the cattle.

After hearing the learned advocate for the
petitioner and the learned A.G.P., I find that the dispute is
about claim made by the respondent No.2 alleged to have
been spent by it.

In view of the facts on record, I find that this is
not the fit case for exercising jurisdiction under the provisions
of the Contempt of Courts Act, 1971.

The contempt proceedings are dropped. The notice of contempt is discharged. The petition stands disposed of accordingly. In the circumstances, the parties to bear their own costs.

It is clarified that the petitioner may undertake appropriate proceedings against the respondents for claiming damages, if so advised.

JUDGE

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