

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 89 OF 2017
IN CP/301/2016

SHRINIWAS VENKATESHWARLU RAIPATTI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Shri N.E.Deshmukh
AGP for Respondents 1 & 2 : Shri S.P.Tiwari

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 03, 2017
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PER COURT :-

1. I have heard the learned Advocate for the petitioner for quite some time.

2. In Contempt Petition No.301 of 2016, this Court, while disposing off the same as there was no disobedience pointed out, noted the submission of the learned AGP in paragraph No.2 as under:-

“2. The learned AGP submits that if the order at issue dated 23.4.2015 has attained finality, the Additional Commissioner, Aurangabad Division shall take steps for ensuring the execution of the said order within 6 weeks.”

3. By order dated 16.12.2016, the Additional Commissioner, Aurangabad Division has decided the pending application as regards execution of an order.

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4. Considering the above, though this Court had concluded in the earlier Contempt Petition that there was no dis-obedience to be entertained under Section 10 of the Contempt of Courts Act, 1971, yet this Contempt Petition has now been filed apparently, when there is no dis-obedience by any such authorities, which would be covered by Section 10 of the said Act.

5. Considering the above, this petition is dismissed by imposing costs of Rs.2500/- which the petitioner shall deposit with the Advocates' Bar Association of Bombay High Court, Bench at Aurangabad within three weeks from today, failing which the said amount shall be recoverable from the petitioner.

(RAVINDRA V. GHUGE, J.)

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