

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders		Court's or Judge's orders
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CONTEMPT PETITION NO.642 OF 2015

IN

WRIT PETITION NO.5202/2005

SAKHUBAI SAKHARAM PATEKAR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr.Parag Shahane
AGP for Respondent/State: Mr.R.V. Dasalkar.

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CORAM : S.V.GANGAPURWALA & V.L. ACHLIYA, JJ.

Dated: DECEMBER, 18, 2017

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Mr.Shahane, learned Advocate submits that in spite of order of this Court, respondent – authorities are not executing recovery certificate. No steps are taken by them.

2. Affidavit is filed by the Commissioner CET and Secretary, Admissions Regulating Authority, Mumbai stating that the petitioner was asked to furnish fresh address of the certificate debtor. Even in the order passed by this Court, it was directed to the present petitioner to give fresh address of the

certificate debtor. But, the petitioner has not given the same.

3. This Court in the order dated 26th July, 2006 passed in Writ Petition No.5202 of 2005 had specifically directed the respondents therein to take immediate steps for execution of recovery certificate if the petitioner furnishes the new address at which M/s Avi Transport (Swapnil Kadam) can be located. As the petitioner has not yet given fresh address, the petitioner cannot alleged contempt.

4. In that view, we dispose of the present contempt petition. The petitioner may give fresh address of M/s Avi Transport. If such fresh address is given, the respondents – authorities shall execute it in accordance with law.

5. Contempt petition disposed of. No costs.

(V.L.ACHLIYA, J) (S.V.GANGAPURWALA, J)