

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 435 OF 2016
IN WP/524/2013**

**APT PACKAGING LTD THROUGH ITS AUTHORIZED REPRESENTATIVE
DEEPAK SATYA NARAIAN KHAN**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Shri Bhandari Anand P
AGP for Respondents/ State : Shri A.R.Kale.

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**CORAM: S.C. DHARMADHIKARI
AND
MANGESH S. PATIL, JJ.**

DATE :- 14th June, 2017

PC.:

1 Heard Mr.Bhandari, learned Advocate appearing for the
Petitioner and perused the order dated 17.11.2014 passed by this Court in
Writ Petition No.524/2013.

2 Mr.Bhandari has used all his persuasive abilities, yet he is not
able to convince us that we must exercise our jurisdiction in this contempt
petition.

3 This Court in Writ Petition declared and at the best that
clause 12(I) of the Scheme which was framed in relation to sick
companies by the Board for Industrial and Financial Reconstruction
(BIFR) invoking Section 22(1) of the Sick Industrial Companies (Special

Provisions) Act, 1985, would bind the Sales Tax Authorities and they must extend benefits of the package scheme of incentives so also the benefit of clause 12(I) of the Scheme. The authorities, who were refusing to extend such benefits, claimed before this Court that they are planning to challenge the direction or the order of the BIFR before the appellate authority. Leaving the matter at that stage, this Court allowed the Writ Petition. We do not see any direction or order flowing from this judgment and willful disobedience of which attracts civil contempt.

4 In these circumstances, this Contempt Petition is entirely misconceived and is dismissed. No costs.