

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

CONTEMPT PETITION NO. 561 OF 2016

IN

WRIT PETITION NO. 11729 OF 2015

Dattu Chandrabhan Waghmare
and others

...Petitioners

VERSUS

The State of Maharashtra
and others

...Respondents

.....

Shri S.G.Jadhavar, advocate for the petitioner

Shri R.B.Bagul, A.G.P. for respondent no.1

Shri R.D.Raut, advocate for respondent nos. 2 & 3

.....

CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 25th JANUARY, 2017

O R D E R :

Mr. Jadhavar, learned counsel for the petitioner states that this Court under order dated 1.3.2016 had directed the respondent no.3 to take decision on the representation of the petitioner within four months. On 30.7.2016 after lapse of four months the order is passed that the petitioner is not entitled to the said

grant. The same is without issuing notice to the petitioner, nor considering the earlier panchanama made by the authorities themselves who have in the said panchanama opined about the existence of the cattle shed. According to the learned counsel, deliberately the authorities have passed such an order behind the back of the petitioner.

2. Mr. Raut, learned counsel for respondent nos. 2 and 3 submits that the order has been passed considering all the relevant aspects of the matter by the authorities.

3. This Court had directed the respondent no.3 to pass orders on the representation/application filed by the petitioner within four months. It appears that the order has been passed after about five months. This Court in contempt jurisdiction cannot consider the legality of the order passed. The order of this Court stands complied with though belatedly by one month. It does not appear that the said delay is

deliberate or willful.

4. Considering the above, the contempt stands purged. As such Contempt Petition is disposed of. No costs.

5. Needless to state, if the petitioner is aggrieved by the order passed, the petitioner can assail the said order in appropriate proceedings. In that regard, all contentions of the respective parties are kept open.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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