

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

Contempt Petition No. 849 of 2016
(In Writ Petition No. 5726 of 2016)

District : Aurangabad

Akhil Maharashtra Gramin Shikshan
Vikas Mandal, Aurangabad,
House No.15-A, Beribag, Harsul,
Aurangabad, Dist. Aurangabad,
Through its President. .. Petitioner.

versus

Shri Surendra Kumar Bagade,
Age : 52 years,
Occupation : Service
as Secretary,
Department of Social Justice
And Special Welfare and Aid,
Mantralaya, Mumbai - 32. .. Respondent.

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Mr. H.D. Deshmukh, Advocate, for the petitioner.

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**CORAM : V.M. KANADE &
V.K. JADHAV, JJ.**

DATE : 19TH JANUARY 2017

ORAL ORDER :

Heard the learned Counsel appearing on
behalf of the petitioner.

02. This Contempt Petition is taken out by the
petitioner for issuing a contempt notice to the
respondent for not deciding the petitioner's proposal

within four months, as directed by this Court in its order dated 09th June 2016.

03. We have perused the said order. The petitioner had made a proposal that the management of an institute which was closed should be handed over to the petitioner. He had, therefore, asked this Court to direct the Government to consider the proposal within four months.

04. It is submitted that no decision has been taken and, therefore, contempt is committed. It is not possible to accept the submission made on behalf of the petitioner. Merely because the proposal is sent, the Government is not duty bound under any provision to consider and take a decision one way or the other. Merely because the proposal of the petitioner is not decided within four months, in our view, no contempt has been committed by the Government. We request the State Government to consider it as expeditiously as possible.

05. Contempt Petition is disposed of accordingly.

(V.K. Jadhav)
JUDGE

(V.M. Kanade)
JUDGE

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