

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION ST NO.35434 OF 2016

Kamgar Mahar Nandur through
Kashinath Vitthal Kamble & ors .. Petitioners
V/s
State of Maharashtra & ors .. Respondents

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Dr.Ramdas Sabban, Advocate for the petitioners.
Mr.PP. Kakade, AGP for the State.

**CORAM: DR. MANJULA CHELLUR, CJ. &
G.S. KULKARNI, J.**

DATED: 31st JANUARY, 2017

P.C.:-

1 The present Contempt Petition is filed contending that there is non compliance of interim directions which read as under:

“Not on board. Upon mentioning, the matter is taken on the board.
Stand over to 28th June 2016. In the meantime, the Government may take a decision on merits and in accordance with law on the application filed by the petitioners.”

2 As a matter of fact, what we notice is that the relief sought in the Writ Petition would be answered if the direction in the interim order is complied with. However, there is no time limit or details pertaining to the Writ Petition are indicated in the order

dated 21st April 2016. In all probability, that may also be one of the reasons why the respondent authorities have not yet decided the matter. However, in a civil contempt, unless there is intentional disobedience on the part of the respondent authorities, the Court should not intervene. To make out a case of intentional disobedience, no material is placed before us. Under these circumstances, in the absence of any specific time limit for disposal of the matter, we are of the opinion that there is no intentional disobedience so far as the direction is concerned.

3 Accordingly, contempt proceedings are dropped.

(G.S.KULKARNI, J)

(CHIEF JUSTICE)