

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION ST.NO.3976 OF 2017 IN
WRIT PETITION NO.12204 OF 2015

Mr.Amol Mhatre for the Petitioner
Mr.S.M.Kamble for the respondent Nos.1 and 2
Mr.A.A.Alaspurkar, AGP for the respondent No.3

P.C.:

1 The breach alleged in this Contempt Petition is of Judgment and Order dated 15th December 2016 passed by this Court in Writ Petition No.12204 of 2015. In Civil Application No.531 of 2017 the learned counsel for the first and second respondent has placed on record a communication dated 31st May 2017 issued by the second respondent. The submission of the learned counsel for the contempt petitioner is that though technically the second respondent may claim that the application dated 22nd September 2015 has been processed by the second respondent, the application was directed to be processed in the light of the observations made in the Judgment and Order of this Court of which the breach is alleged.

2 In short, the submission of the petitioner is that on merits, action of the second respondent is erroneous. This issue cannot be gone into in the present Contempt Petition. The remedy, if any, of the petitioner is to challenge the communication dated 31st May 2017 in accordance with law.

3 Subject to what is observed above, no case is made out for initiating action either under the Contempt of Courts Act, 1971 or under Article 215 of the Constitution of India. Accordingly, the Contempt Petition is disposed of.

(VIBHA KANKANWADI, J.)

(A.S.OKA, J.)