

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 285 OF 2017
IN
WRIT PETITION NO. 3399 OF 2014

Nandkumar Dhanyakumar Randive ... Petitioner

V/s.

The State of Maharashtra and ors. ... Respondents

Mr. Samir Kumbhakoni for petitioner.

Mr. O.M. Kulkarni, AAGP for State.

**CORAM : NARESH H. PATIL AND
Z.A. HAQ, JJ.**

24th August, 2017.

P.C.

1. The learned AGP tendered an affidavit of Respondent No.4 – Contempnor Satyawan Dharma Sonawane, Education Officer (Secondary), Zilla Parishad, Solapur, which is taken on record. Respondent No.4 is present in Court. The Contempnor has passed order yesterday on 23rd August, 2017 in compliance of the order passed by this Court dated 30th September, 2016 in Writ Petition No. 3399 of 2014 (Exhibit A). The Education Officer has rejected the application for correction of date of birth filed by the petitioner.

2. The Contempnor has tendered unconditional apology to this Court. It is submitted by the learned AGP that due to heavy workload, the contempnor could not deal with the application filed by the petitioner in time.

3. Prima-facie, we find that the Contempnor has failed to provide explanation as to why, inspite of the order passed by the Court being communicated to him, he did not take any steps from September, 2016 till the date of passing of the order i.e. 23rd August, 2017. The Contempnor ought to have acted diligently on receipt of copy of the order passed by this Court.

4. In the facts, we refrain from passing any adverse remarks against the Contempnor but it would be advisable if the concerned Dy. Director (Education) call for the explanation from the respondent no.4 - Education Officer so that in future the Contempnor would maintain abundant caution and care while complying with the order passed by the Court. Learned AGP to communicate this order to the concerned Dy. Director (Education).

5. Contempt Petition stands disposed of.

6. Registry is directed to forward copy of this order to the concerned Dy. Director (Education).

(Z.A. HAQ, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.