

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.357 OF 2009

IN

WRIT PETITION NO. 5293 OF 2000

I.C. 9818X Ex-Lt Col.

Sunil Issar

..Petitioner

Vs.

Presiding Officer General Court

Marshal and Others

..Respondents

Mr. Akshay Kapadia i/b M/s J. Shekhar and Co,for the
Petitioner.

None for the Respondents.

**CORAM :- S.C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.**

DATE :- FEBRUARY 22, 2017.

P. C.:

When this Contempt Petition was filed complaining about the non implementation of an order passed by a Division Bench of this Court, copy of which order is to be found at pages 12 to 17 of the paper book, the Petitioner's

own correspondence with the department, namely, the Army Head Quarters, New Delhi indicates that the Review Petition was pending. The Contempt Petition does not set out as to what was the fate of the review petition to complain that there is non implementation of the order passed by this Court. We have noted that the order was passed. The Petition was filed on 8th September, 2009. We do not have any assistance from the Petitioner with regard to the compliance of this Court's order nor have we seen any steps being taken post issuance of notice on this Contempt Petition by the Petitioner. However, we have an order on record of this Petition which indicates that the proceedings in contempt have been stayed by the order of the Hon'ble Supreme Court of India dated 6th December, 2010. Even, on 6th March, 2012, this position was noted by a learned Single Judge. Thereafter, nothing has been reported about the outcome of the proceedings before the Hon'ble Supreme Court of India. The Contempt Petitioner's Advocate says that there is no response from the Petitioner and they could not establish any contact with him either.

2 In the above circumstances, we do not think that
we should pursue this Contempt Petition. It is disposed off.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)