

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL CONTEMPT PETITION (CONP) NO. 7 OF 2006

(Shankar Dadaji Thakare vs. Wamanrao s/o Ganpatrao Surkar & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
APRIL 07, 2017.**

Nobody for the petitioner even today.

2. Heard Shri S.P. Pawar, Advocate holding for Shri J.R. Kidilay, learned counsel for respondent No. 1 and Shri A.S. Fulzele, learned APP for respondent No. 2.

3. The petitioner was aggrieved by the pleadings in reply to Complaint No. 38 of 2004. Those pleadings by respondent No. 1 in his reply are reproduced by him in paragraph 4 of the present petition. According to him, respondent No. 1 has taken false stand in that reply.

4. It appears that this grievance was made before the District Judge, Wardha and prayer was to make a reference of Criminal Contempt to this Court. The District Judge has refused to make that reference vide a detailed judgment dated 27.07.2006. This order has not been questioned by the petitioner.

5. He also sought waiver of requirement to produce consent of the Advocate General. On 05.12.2006, in view of the judgment of the Hon'ble Apex Court in the case of Daroga Singh & Ors. vs. B.K. Pandey, reported at (2004) 5

SCC 26, this Court waived that requirement. However, there is no appearance for him. Thereafter on 17.03.2017, this Court has placed the matter today for dismissal.

6. The allegations were made in reply by respondent No. 1. The result of Complaint No. 38 of 2004 is not being pointed out in the matter by the petitioner. Whether those averments have been pressed into service and how they have been appreciated by the concerned Court is, therefore, not known.

7. In this situation, taking overall view of the matter, we are not inclined to keep the matter pending. It is accordingly dismissed. However, there shall be no order as to costs.

JUDGE

JUDGE

*GS.