

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

CONTEMPT PETITION NO. 39/14 IN WRIT PETITION NO. 4841/10.

**(Ku. Niranjana Duryodhan Panchabude & others .vs. Shri D.D. Shinde, CEO, ZP,
Gondia & others)**

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

Court's or Judge's orders

Mr. P.D. Meghe, Advocate for petitioners,
Mr. G.G. Bade, Advocate for respondent nos. 1 & 2,
Mr. A.S. Fulzele, Acting G.P. for respondent nos. 3 & 4.

CORAM : B.P. DHARMADHIKARI & ROHIT B. DEO, JJ.

DATED : JULY 1, 2017.

The petitioners allege non-compliance of orders dated 15.3.2013 in Writ Petition No. 4841/10. As per that judgment, decision was to be taken on reference within period of three months from the date of its receipt. The petitioners have not received any intimation about the said decision till filing of Contempt Petition on 1.2.2014 and thereafter till date.

The respondent nos. 1 & 2, officers of Zilla Parishad, Gondia, have tendered their reply affidavit. According to them, a meeting was held on 16.1.2015 and as per the proceedings conducted therein a proposal has been forwarded to office of Divisional Commissioner for further consideration on 19.3.2015.

The respondent no.5 Divisional Commissioner has also filed reply and submitted that the controversy stands concluded in view of meeting dated 16.1.2015 and nothing was to be decided thereafter.

Though we need not go into the merits or demerits of

this defence in contempt jurisdiction, *prima facie* we are not in a position to hold that these inconsistent defences by respective respondents are with any oblique motive.

However, fact stands that till date no decision whatsoever has been communicated to petitioners.

In this situation, interest of justice can be met with by directing the present incumbent holding the post of Divisional Commissioner to look into the proposal sent by Zilla Parishad on 19.3.2015 and to pass suitable orders upon it within next six weeks. The order shall be communicated to the petitioners within next three weeks.

Giving petitioners liberty to approach again if their grievance is not redressed or any other cause of action arises, with this direction, we dispose of the Contempt Petition. No costs.

Judge

Judge

J.