

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

CONTEMPT PETITION NO.83/2016

IN

WRIT PETITION NO.1265/2015 (D)

Dr. Bharti Ramesh Patil

...Versus...

Central Council of India Medicine New Delhi 110058 through its Secretary

Dr. R.R. Sharma and another

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

Court's or Judge's orders

Shri Girish Kunte, Counsel for the petitioner

Shri Ramaswamy, Counsel h/f Shri R.S. Sundaram, Counsel for the respondents

**CORAM : SMT. VASANTI A NAIK AND
ARUN D. UPADHYE, JJ.**

DATE : 07.07.2017

By this contempt petition, the petitioner had sought action against the respondents for wilful disobedience of the directions in the judgment dated 14.12.2015 in Writ Petition No.1265/2015 to allot the Teacher Code to the petitioner within four weeks.

It was the case of the petitioner before this Court when the contempt petition was filed that though the code number was directed to be allotted to the petitioner, within a time-frame, the respondents had given only a temporary Teacher Code to the petitioner. It was stated that the action on the part of the respondents of granting a temporary Teacher Code when the respondents were directed to allot a regular Teacher Code to the petitioner was deliberate and wilful.

The respondents are personally present in the Court today. Both the respondents have apologized for not allotting a permanent Teacher Code to the petitioner. It is stated that during the pendency of the contempt petition, a permanent Teacher Code is allotted to the petitioner. It is stated that in the circumstances of the case, when the inaction on the part of the respondents was not deliberate or intentional, action may not be taken against the respondents under the provisions of the Contempt of Courts Act.

Shri Kunte, the learned Counsel for the petitioner does not dispute that a permanent Teacher Code has been allotted to the petitioner. It is submitted that an appropriate order could be passed, in the circumstances of the case.

Since we find that the respondents have not deliberately and intentionally allotted a temporary Teacher Code to the petitioner and since the respondents have unconditionally apologized and have also allotted a regular Teacher Code to the petitioner during the pendency of the contempt petition, we drop the contempt proceedings initiated against the respondents.

The contempt petition is disposed of with no order as to costs.

JUDGE

JUDGE