

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL CONTEMPT PETITION NO. 5/2015

(SUO MOTU (COURT'S ON ITS OWN MOTION) **VERSUS** G.N. NAIK, LIQUIDATOR, A.R. OF CO-OP.
 SOCIETY LIMITED)

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

Court's or Judge's orders

 Shri A.M. Deshpande, A.P.P. for the respondent.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 23, 2017.

By an order dated 08.05.2015, we had directed the Registry to register the criminal contempt case against the respondent in the present proceedings. It was noted in the said order that though the respondent had received the notice, he did not appear in the Court on 27.03.2015 and 10.04.2015. It is observed that after the bailable warrant was issued against the respondent on 27.04.2015, the respondent paid an amount of Rs.90,00,000/- to the Provident Fund Department. In the view of this Court, the respondent ought to have sought the directions from this Court before paying a huge amount of Rs.90,00,000/- to the Provident Fund Department. Also, in the view of this Court, it was necessary for the respondent to appear in this Court on the two dates of hearing, i.e. 27.03.2015 and 10.04.2015.

In pursuance to the registration of the criminal contempt proceedings, the respondent has filed an affidavit. The respondent has sought an unconditional apology. The reason for not remaining present is satisfactorily explained in the affidavit and it is stated that the payment of

Rs.90,00,000/- to the Provident Fund department was an inadvertent mistake. In respect of the inadvertent mistake, the circumstances in which it had occurred, are mentioned in the affidavit and an unconditional apology is sought.

We accept the unconditional apology tendered by the respondent and drop the *suo motu* contempt proceedings initiated against the respondent no.4. The criminal contempt petition is disposed of with no order as to costs.

JUDGE

JUDGE

APTE