

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

C.A.W. NO.1843/2016
IN
WRIT PETITION NO.4154/2014

Chandrabhan S/o Raghunathji Apturkar and another
 ..Vs..
 Government of Maharashtra and others

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

Court's or Judge's orders

 Shri S.K. Tambde, Advocate for the applicant / petitioner No.2.
 Shri S.P. Deshpande, Addl. G.P. for respondent Nos.1 and 2.

CORAM : Z.A. HAQ, J.
DATE : 18.12.2017.

Heard.

By this application, the original petitioner No.2 seeks modification of the directions given by this Court by the order dated 27th July, 2016 to pay the amount of costs within two months.

The submission on behalf of the applicant / original petitioner No.2 is that she had not made any submission relying on the notarized statement of petitioner No.1 and, therefore, the directions saddling costs of Rs.25,000/- on her be recalled.

The submission made on behalf of the petitioner No.2 in this application is misconceived. The petitioner No.2 joined as co-petitioner in the writ petition alongwith petitioner No.1 and petitioner No.1 had pleaded specific case that the notarized statement used against him was not given on his own volition but the

other Directors of Society had obtained it from him under coercion. The ground raised the writ petition relying on notarized statement of petitioner No.1 is found to be misleading.

Be that as it may, the submission made by the petitioner No.2 in this application cannot be accepted as she was co-petitioner alongwith petitioner No.1 in the writ petition.

The civil application is **dismissed**.

The learned Addl.G.P. has pointed out that the petitioners were required to pay the amount of costs to the Government of Maharashtra within two months from the date of order i.e. from 27th June, 2016, however, the amount is not paid / deposited till date.

Issue notice to the petitioners Chandrabhan S/o Raghunathji Apturkar and Smt. Pushpa W/o Sharad Raipurkar to show cause why proceedings under Contempt of Courts Act, 1971 and under Article 215 of the Constitution of India should not be initiated against them for wilfully disobeying the directions given by this Court.

The original petitioners may file reply / affidavit, if so advised, till 2nd March, 2018.

List the matter for further consideration on **14th March, 2018**.

JUDGE