

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.622 OF 2016
IN WRIT PETITION NO.8027 OF 2010**

...

**VIJAYA ARJUNRAO JADHAV
VERSUS
LAXMAN POLE**

...

Mr.P.G.Tambade, Advocate holding for Mr.Santosh S.
Jadhavar, Advocate for the petitioner
Mrs.P.V.Diggikar, AGP for the respondent/State

...

**CORAM: S.S. SHINDE AND
S.M.GAVHANE, JJ.**

DATE : 05.04.2018

ORDER:

1] Pursuant to the notice issued to the respondent, the affidavit-in-reply has been filed by the respondent. It is stated in the said affidavit-in-reply that, fresh proposal, which was submitted by the management, has been considered and rejected. It is true that, the said proposal has not been considered within six weeks as directed by this Court, however, the respondent has tendered unconditional apology for not complying the said directions within stipulated period.

2] The Hon'ble Supreme court in the case of *Suresh Chandra Poddar Vs. Dhani Ram & others*¹ has taken a view that even where the order of court is complied with, subsequent to receipt of notice of contempt, court should show judicial grace and magnanimity in dealing with action for contempt.

3] We accept the unconditional apology tendered by the respondent in respect of delay in deciding the proposal. Accordingly, the notice to the respondent stands discharged. The Contempt Petition stands disposed of.

4] Needless to observe that, it will be open for the petitioner to take exception to the order passed by the respondent whereby rejecting the proposal for approval to the appointment of the petitioner.

[S . M . GAVHANE]
JUDGE

[S . S . SHINDE]
JUDGE

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¹ [2002] 1 SCC 766