

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

CIVIL APPLICATION NO. 10083 OF 2018
IN
CONTEMPT PETITION NO. 349 OF 2018
IN
WRIT PETITION NO. 4382 OF 2015

PAVNIT KAUR
VERSUS
SHRI U.P.S.MADAN AND OTHERS

...
Mr. Patil Bankar Deelip N., adv. For applicant
Mr. V.G.Salgare, adv. For petitioner in W.P.

...
WITH
CONTEMPT PETITION NO. 349 OF 2018
IN
WRIT PETITION NO. 4382 OF 2015

LATA EKNATHRAO WAGHCHAURE
VERSUS
SHRI U.P.S. MADAN, ADDITIONAL CHIEF SECRETARY, FINANCE
DEPARTMENT, MS MANTRALAYA, MUMBAI AND OTHERS

...
Advocate for the Petitioner : Mr. V.G.Salgare
AGP for Respondent : Mr.P.S. Patil
Advocate for Respondent Zilla Parishad : Mr.S.B. Pulkundwar
Adv. For respondent no.3 : Mr. Deelip Patil Bankar
...

**CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.**

DATE : AUGUST 6, 2018

O R D E R :

Present application is filed seeking recall of
order dated 2.8.2018 issuing bailable warrant against

respondent no. 3.

2. Respondent No. 3 is present in the Court. It is submitted that notice was served upon the present applicant and the file was processed in the office of the applicant. The file was handed over to the Advocate. The staff of the applicant's office contacted the Advocate on 3.8.2018, however, returnable date was 2.8.2018. The same was not filed.

3. It is the contention of the applicant that as soon as file was up-to-date the steps were taken immediately to engage Advocate. The unconditional apology is submitted. The order passed by this court is complied with by the applicant and amount is paid.

4. Considering the reasons given in the application and the fact that the order has been complied with, we recall the order dated 2.8.2018 issuing bailable warrant to the present applicant.

5. Present Civil Application is disposed of. No costs.

6. It is submitted by the respondent that order of this court is complied with and the payment has been made to the petitioner.

7. Mr. Salgare, learned counsel submits that Contempt Petitioner is present in the court and submits that payment has been received by him, however, so far as the quantum is concerned he is not satisfied with the same.

8. If the Contempt Petitioner has any grievance with regard to the quantum, the petitioner has other remedy available.

9. As the order is complied with the contempt stands purged. The Contempt Petition is disposed of. No costs.

[**SUNIL K.KOTWAL, J.**] [**S.V.GANGAPURWALA, J.**]
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