

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

**CONT. PETITION NO.899 OF 2018
IN WP/11848/2017**

**GURSIDDHA RAMCHANDRA LAMJANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**...
Advocate for Petitioners : Patil Nileshsingh J
AGP for Respondents: Mr.S.S.Dande
...**

**CORAM : PRASANNA B. VARALE &
MANGESH S. PATIL,JJ.
DATE : 13/12/2018**

PER COURT :-

Heard Mr.Patil, learned counsel for the petitioner.

2] By the present Contempt Petition, the petitioner submits that there is non compliance of the order of this Court dated 9/4/2018, as such appropriate action be taken against the alleged contemner.

3] Perused the order of this Court dated 9/4/2018 in Writ Petition No.11848/2017 which was in a nature of non action against certain erring officers of the Zilla Parishad. It was alleged that illegalities were committed by the officers of Zilla Parishad, more particularly Gram Sevak and Sarpanch. The directions were sought for in the grievance raised referred to

above.

4] The Division Bench of this Court on accepting a statement that departmental inquiry is already initiated against the Block Development Officer, orders are also passed seeking recovery from three persons and there was an order passed by the State Government staying recovery against the five persons, permitted the Zilla Parishad to continue the process against those five persons and then only observed that the inquiry initiated against the Block Development Officer shall be taken to its logical end. The Division Bench reiterated the fact of the matter that recovery is already made against three persons. Then permitting petitioner to raise his other grievance before the appropriate competent forum by availing the remedies under law, the petition is disposed of.

5] On a very specific query by this Court that is there in direction by this Court or is there any breach of an undertaking given to this Court. The learned counsel admits that neither there is any direction by this Court nor any breach of undertaking. The perusal of the documents placed on record and perusal of the petition show that it is only the assumption and presumption of the petitioner that whatever inquiry is being conducted is not proper inquiry and this assumption of the petitioner be treated as a non compliance of the order of this Court.

6] Considering these facts, we are of the opinion that by no

stretch of imagination the assumption of the petitioner can be treated as a ground for initiating a process more particularly a serious process like contempt of Court against the respondents only for satisfying the assumption of the petitioner which he carries.

7] Thus the contempt petition being wholly meritless, deserves to be dismissed at the threshold and the same is accordingly dismissed.

(MANGESH S. PATIL,J.)

(PRASANNA B. VARALE,J.)

umg/