

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO.4 OF 2018
IN
STAMP NUMBER (APPLN.) NO.4238 OF 2017

Mr. Rui Ferreira ... Petitioner

Versus

Sanjeev M. Gadkar & Ors. Respondents

The Petitioner present in person.

Mr. P. Faldessai, Addl. Government Advocate for Respondent No.1.

Coram : N.M. Jamdar &
Nutan D. Sardessai, JJ.

Date : 1 October 2018.

P.C. :

Heard the Petitioner in person.

2. The Petitioner in person has sought to initiate an action under the Contempt of Courts Act against the Respondent No.1 on the ground that the action taken by the Respondent No.1 on 1 January 2018 is in breach of the order dated 27 December 2017. By

order dated 27 December 2017 passed in the Civil Application, the learned Vacation Judge had directed that any actions, promotions, appointments etc., would be subject to further orders to be passed in the petition and in case any appointments are effected, the Board will make it clear that the same will be subject to further orders.

3. According to the Petitioner in person once the matter is pending in this Court, the Respondent No.1 ought not to have issued the order dated 1 January 2018. It is not that the order dated 1 January 2018 and its legality is questioned before us. A contempt action can lead to criminal consequences as the parameters are different.

4. In the order dated 27 December 2017, it does not appear to be any restrain order. Where the Respondent No.1 should have passed an order on 1 January 2018 and legality thereof can always be questioned by the Petitioner in person by taking appropriate proceedings, if they are available in law.

5. The Contempt Petition is disposed of.

Nutan D. Sardesai , J.

N.M. Jamdar, J.