

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

CONTEMPT PETITION NO.166 OF 2018

Namdeo T. Gawali

... Petitioner

Vs

Sanjay Rathod, State Minister
& Ors.

... Respondents

...

Mr. Bhushan Deshmukh for the Petitioner.

Mr. N.C.Walimbe, AGP for the Respondent Nos.1 and 12.

Mr. Sandeep D. Shinde for R.Nos.3 to 10.

**CORAM : K. K. TATED &
SANDEEP K. SHINDE JJ.**

DATE : 24 AUGUST, 2018

P.C. :

Heard learned counsel for Parties.

2 Advocate Mr. Shinde submits that he received instructions to appear on behalf of the Respondent Nos.3 to 10. He undertakes to file vakalatnama on or before 28.8.2018. Same is accepted.

3 Petitioner by this Contempt Petition alleges that the Respondents committed contempt of this Court by not following the order dated 21.3.2017. He submits that this Court by order

dated 21.3.2017 directed the Appellate Authority endeavour to decide RTS No.3016/3478 as expeditiously as possible and in any event within a period of three months from the date fixed for the appearance of the parties.

4 It is the contention of the learned counsel for the Petitioner that the Respondent No.1 decided the said Appeal on 31.3.2017 itself, therefore, it would amount to contempt of the Court. It is to be noted that in Writ Petition NO.13949 of 2016, the Petitioner preferred Civil Application No.726 of 2017 which stood disposed of as not surviving with liberty to the Petitioner to make appropriate application before the Appellate Authority. This shows that Petitioner was not party in Writ Petition No.13949 of 2016. There are no averments in Petition that petitioners made any application before Authority on or before 31st March, 2017.

4 Considering these facts, we do not find any reason to entertain the present Contempt Petition against the Respondents as they complied the order passed by this Court.

Hence, Contempt Petition stands rejected.

(SANDEEP K. SHINDE, J.)

(K. K. TATED, J.)

Shambhavi
Nilesh
Shivgan

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Date: 2018.08.30
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