

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 474 OF 2018

Shrikant Mangesh Thakur

...Petitioner

V/s.

Shri. S.D. Golait & Ors.

...Respondents

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Mr. T.V. Jadhav, I/by. Mr. R.K. Mendadkar, Advocate for the petitioner.

Mr. P.G. Sawant, AGP for the respondent-State.

Coram : A.S. Oka, &

Sandeep K. Shinde, JJ.

Monday, 3rd December, 2018.

P.C. :

1. The petitioner has filed this petition seeking action under the Contempt of Courts Act, 1971 on account of the breach of order dated 3rd April, 2017 passed by the Division Bench of this Court directing the Scheduled Tribes Certificate Scrutiny Committee, Nashik Division, Nashik to decide the caste claim of the petitioner within a period of four months from the date of the order.

2. Today, the learned AGP has tendered across the bar, a letter dated 30th November, 2018 addressed to the Learned AGP by the Vice Chairman of the Schedule Tribe Certificate Scrutiny Committee in which it is stated that the caste claim will be decided within a period of two months. The letter is taken on record and marked 'L-1' for identification.

3. We accept the assurance recorded in the said letter. It is only in the light of the assurance that, though breach of the order of this Court is established, we are not initiating action against the concerned respondents. If the time limit of two months as stated in the said order is not abided by, it will be considered as a case of aggravated contempt.

4. Accordingly, we dispose of the petition, by accepting the statement made in the aforesaid letter dated 30th November, 2018.

5. We further make it clear that, in the event, the

assurance in the said letter is not complied with, it will be open for the petitioner to apply for revival of this contempt petition.

(SANDEEP K. SHINDE, J)

(A.S. OKA, J)