

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 350 OF 2015
IN
WRIT PETITION NO. 392 OF 2014

Jayaprakash Education Society .. Petitioner
V/s
The State of Maharashtra & Ors. .. Respondents

Mr. Vinayak Kumbhar i/b Mr. N.V. Bandiwadekar for the petitioner.
Mr. B.V. Samant, AGP for the State.

**CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

DATE : 22nd FEBRUARY 2018

P.C.:

We have heard both sides. Perused the orders passed by this Court.

2. On the own showing of the petitioner, this order has been complied with, but belatedly.

3. There is an explanation on affidavit that the lease could not be executed promptly because certain procedural aspect had to be complied with at the end of the respondents. The period of three months was consumed in making the compliance. It is in these circumstances that the lease was executed not within the time

schedule prescribed in the order, but on 7th October 2015. There is an apology also tendered for this delay.

4. In the above circumstances, we do not think that a case of civil contempt is made out. The contempt petition is misconceived and is dismissed. However, we grant liberty to the petitioner to take such steps or initiate such action as they may be advised so as to recover any monetary sum / compensation for the delay in execution of the lease deed.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)