

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CONTEMPT PETITION NO.126/2017**

**IN**

**WRIT PETITION NO.5344/2016**

Ashish S/o Sharad Holey

..Vs..

Mahadeorao S/o Vithalrao Raut and another

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri S.P. Bhandarkar, Advocate for the petitioner.  
Shri Prakash D. Randive, Advocate for respondent Nos.1 and 2.  
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**CORAM : Z.A. HAQ, J.**

**DATE : 8.1.2018.**

Heard.

The grievance of the petitioner is that term No.6 of the minutes of order dated 5<sup>th</sup> May, 2017 requiring the Nirmal Urban Co-operative Bank Limited to pay amount of Rs.53,54,000/- to the present petitioner till 9<sup>th</sup> May, 2017 was not complied with within specified time.

It is undisputed that the amount of Rs.53,54,000/- is paid to the present petitioner on 5<sup>th</sup> July, 2017. In the affidavit filed on behalf of the respondents, explanation for delay in releasing the amount is stated.

The learned Advocate for the petitioner has submitted that the explanation given by the respondents in the submissions filed on their behalf is nothing but an

eyewash and the present petitioner was harassed by the respondents inspite of understanding given by them to this Court that the amount would be paid to the petitioner till 9<sup>th</sup> May, 2017.

Be that as it may, in view of the fact that the amount is paid to the petitioner though after the date till when the amount should have been paid, and accepting the unconditional apology tendered by the respondents, I am not inclined to initiate the proceedings under the Contempt of Courts Act, 1971 against the respondents.

The notice issued to the respondents is discharged.

Contempt petition is **disposed**.

In the circumstances, the parties to bear their own costs.

JUDGE