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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.280 OF 2019
IN
PUBLIC INTEREST LITIGATION No. 5 OF 2018
WITH
CIVIL APPLICATION NO. 6516 OF 2019
IN
PUBLIC INTEREST LITIGATION NO.5 OF 2018
WITH
CIVIL APPLICATION NO. 6518 OF 2019
IN
WRIT PETITION NO.9199 OF 2018**

Valmik Pandharinath Wakchaure & Ors.

..PETITIONERS

VERSUS

Rahul Dwivedi

..RESPONDENT

Mr V.H.Dighe, Advocate for petitioners in Contempt Petition
No.280/19;

Mr S. D. Ghayal, A.G.P. for respondent-State in C.P.280/19 and
for Applicants in CA Nos.6516/19 & 6518/19

**CORAM : PRASANNA B. VARALE
AND
R.G. AVACHAT , JJ.**

DATE : 11th JUNE, 2019

ORAL ORDER:

By these applications, namely, Civil Application No. 6516 of
2019 and Civil Application No.6518 of 2019, the applicant State of
Maharashtra through Collector, Ahmednagar prays for extension of

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time, so as to comply the order of this Court passed in Public Interest Litigation No. 5 of 2018 with Writ Petition No. 9199 of 2018.

2. Perusal of order dated 1st November, 2018 shows that, the Division Bench of this Court to which one of us (Prasanna B. Varale,J.) was party, directed the respondent authorities to decide the representations. The authority was permitted to grant an opportunity of hearing, if the parties pray to the authority i.e the Collector, Ahmednagar. The stipulation of period to decide the representation is of 16 weeks from the date of order. It is stated in the applications that on receipt of the copy of order, the applicant issued notices for hearing. First hearing was scheduled at 1st January, 2019, thereafter, dates of hearing were adjourned from time to time i.e. 31st January, 2019, 7th February, 2019, 21st February, 2019, 5th March, 2019 and 12th March, 2019. It is further stated that in the meanwhile, Loksabha elections of 2019 were declared and for Ahmednagar District the voting was scheduled on 23rd April, 2019 and 29th April, 2019 and counting was fixed on 23rd May, 2019. Due to election program, the authorities were unable to decide the representations. It is thus, in the application for grant of extension of time.

3. Mr Dighe, learned Counsel who appears for petitioner in

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Contempt Petition No. 280 of 2019 filed in this Court alleging non-compliance of the order of this Court, submitted that the original petitioner participated in the hearing and hearing aspect is complete, as such, there is no impediment for the authority to decide the representation as directed by this Court.

4. Learned A.G.P. submitted that the authority would be deciding the representations within two weeks from today.

5. As we are satisfied that the delay caused in decision is for *bona fide* reasons, and particularly election programme declared by the Election Commission of India and the authority was busy in conduct of elections, the prayer for extension of time is granted. We accept the statement made by learned A.G.P. before this Court as an undertaking to this court.

6. The applications are disposed of accordingly.

7. Mr Dighe, learned Counsel appearing for the petitioner in Contempt Petition No. 280 of 2019, in view of order of this Court passed in Civil Application Nos. 6516 of 2019 and 6518 of 2019 prays for withdrawal of the contempt petition. Contempt Petition is allowed

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to be withdrawn and disposed of accordingly.

Authenticated Copy of this order be supplied to the
learned A.G.P.

(R.G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)

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