

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

**919 CONTEMPT PETITION NO.813 OF 2019
IN WRIT PETITION NO.746/2017**

**NAZRA EDUCATION SOCIETY BORI (I), PUSAD, THROUGH ITS
SECRETARY MIRZA HAJI BAIG YASIN**

VERSUS

VANDANA KRUSHNA THE SECRETARY AND ANOTHER

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**Advocate for Petitioner : Mr Syed G R
A.G.P. for respondents : Mr S.G. Sangle**

**CORAM : PRASANNA B. VARALE & ANIL
S. KILOR, JJ.**

DATE : 5th December, 2019

ORDER:

1. Heard learned Counsel for the petitioner. Grievance of the petitioner is of non-compliance of the order of this Court dated 13.2.2017.

2. Perused the order of this Court dated 13.2.2017 in Writ Petition No.746 of 2017. Respondent no.1 was directed to take decision on pending proposal of the petitioner within stipulated period of nine months. By inviting our attention to the documents placed on record, learned Counsel submitted that when the petitioner apprised the order to the authority by submitting representation and also by taking recourse to Right to Information Act, it was informed to the petitioner by communication dated 16.07.2018 that the proposal submitted by the petitioner is not available in the Government record. It was further informed to the petitioner that if the petitioner is possessing copy of the proposal, he may submit the same to the Government so as to take appropriate decision. Accordingly, the petitioner immediately on 20.08.2018, submitted copy of the proposal in the office of the Desk Officer and Information Officer Mr R.V. Kudale with a request to take appropriate decision expeditiously.

3. Learned Counsel submits that in spite of submitting copy of proposal on 20.08.2018, till date no decision is taken and the act of respondents is an act of willful disobedience of the order of this Court.

4. Considering this fact, we deem it appropriate to dispose of the petition itself by directing respondent no.1 to call for the copy of the proposal submitted to the Desk Officer as well the Information Officer Mr R.V. Kudale dated 20.08.2018 within two weeks from the date of order of this Court. On receipt of the proposal, respondent no.1 then to decide the proposal within four weeks. We make it clear, that exercise of decision be completed within six weeks in total.

5. We further make it clear that in case Contempt Petition is again submitted to this Court for non-compliance of the order of this Court in the said Contempt Petition, while issuing notice in that contempt petition, we may impose exemplary costs first and then may issue notice to the respondents on receipt of such Contempt Petition.

6. Contempt Petition is disposed of accordingly.

7. Authenticated copy of this order be provided to the learned A.G.P.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

JPC