

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

24 CONT. PETITION NO.841 OF 2019

**DHANRAJ NAVALRAI RIZWANI
VERSUS
PRAJAKTA LAVANGARE VERMA AND ANR**

Advocate for Petitioner : Mr V. C. Patil Ashtekar**

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

DATE : 16th December, 2019

ORDER:

1. On perusal of the present contempt petition it was our opinion that this petition is not only hopelessly meritless but also an act of a busybody taking this court for a ride. The petitioner is approaching this Court with a grievance of willful disobedience of the order dated 29.08.2019 and is seeking an action against the respondents for such disobedience. Very interestingly, on one hand, grievance is raised of non compliance of the order which is neither passed by this Court nor by any court subordinate to this Court and on the other hand, the petitioner is seeking implementation and execution of the order dated 29.08.2019 passed by the Hon'ble Minister exercising powers to decide the revision.

2. On perusal of the document, another feature emerged and that is the present contempt petition is not a solitary attempt of the petitioner but is a successive attempt of the petitioner approaching this Court by filing contempt petition. The earlier Contempt Petition

No.528/2019 was also filed by the petitioner i.e. Dhanraj Navalrai Rizwani with other petitioners. On a statement made before this Court by the learned A.G.P. that as per the directions of this Court the Hon'ble Minister had decided the Revision and considering the fact that the decision of the Hon'ble Minister results in non survival of any grievance of the petitioner, Contempt Petition No. 528/2019 was disposed of.

3. Thus, the fact of decision in revision was well within knowledge of the petitioner. As such, the petitioner also cannot take a plea of ignorance and then cannot submit before this Court that on assumption and presumption the present contempt petition is filed.

4. All the above referred facts will reiterate our impression that the present petition is abuse of process of law and deserves only dismissal.

5. At this stage, learned counsel for the petitioner prayed for withdrawal of the contempt petition. The learned counsel for the petitioner submitted that though the very petitioner had filed the earlier contempt petition, he was not representing the petitioner on earlier occasion and as such, he was of not made aware of all the facts. Though we accept the explanation submitted by the learned counsel appearing for the petitioner, we have no hesitation to state here that we strongly deprecate such an attempt, if made by the parties only to suit

their personal interest. With this note of caution, the petitioner is allowed to withdraw the petition. Contempt petition is disposed of as withdrawn.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

JPC