

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE**

**CONTEMPT PETITION NO.405 OF 2017
IN
WRIT PETITION NO.4423 OF 2013**

Shri Sanjay Lakhanlal Rathod ... Petitioner

Vs

Shri Dinesh Waghmare & Ors. ... Respondents

Mr.I.M. Khairdi for the Petitioner

Mr.V.M. Mali, AGP, for Respondent – State

**CORAM: S.C. DHARMADHIKARI &
R. I. CHAGLA, JJ.**

DATED: NOVEMBER 28, 2019

P.C.:

1. Having heard Mr.Khairdi and perusing the order of this Court dated 17.3.2017, a copy of which is at pages 40 to 43 of the paperbook, we do not think that a case of civil contempt is made out.

2. It may be that the order is passed by the competent authority or otherwise but by ignoring a specific Government Resolution. Nonetheless, an order in terms of a direction of this Court has been passed. That may be erroneous or illegal but surely when

there are independent remedies available to challenge that order, civil contempt is not made out.

3. The Contempt petition is misconceived and is, therefore, disposed of. No costs.

(R. I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)