

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

CONTEMPT PETITION NO.215/2013 IN WRIT PETITION NO.2064/2013 [P]

[Govind Kumar Agarwal .vs. Shri Nitin Karir and others]

AND

CONTEMPT PETITION NO.216/2013 IN WRIT PETITION NO.2063/2013 [P]

[Deepesh Agarwal s/o Shri Govind Kumar Agarwal .vs. Shri Nitin Karir and others]

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

Court's or Judge's orders

.....
Petitioners in person,
Shri N.S. Rao, AGP respondents.

.....

Coram : R.K. Deshpande & Vinay Joshi, JJ.

Date : 11.06.2019.

The contempt in these petitions is of the order dated 12.4.2013 passed in Writ Petition Nos.2063/2013 and 2064/2013 which is reproduced below :

Perused impugned communication dated 8.4.2013 at Annexure-10.

Notice, returnable on 2.5.2013.

Put up with W.P. No. 1903 of 2013.

By interim order though we permit auction to proceed further, the same shall not be confirmed until further order of this Court.

Learned AGP waives notice for respondent nos.1, 2, 3 and 5.

Copy of this order be furnished to the learned counsel appearing for the parties.

In response to notice issued by this Court it is stated in affidavit filed by the respondents that the petitioners are still in physical possession of the property and they have not been dispossessed though the paper possession has been taken.

In paragraph 6, it is stated as under :

“It is submitted that the respondents are law abiding Government officers and never attempted to lower the dignity of this Hon'ble Court. The main object of purchase of the property on nominal bid is to recover the Government dues. The heavy amount of sales tax dues worth Rs. 7 crore are outstanding against the petitioner and his son. The property known to the respondent was subjected to auction and after the vacant possession of the property the same shall again be subjected to auction and if so sold, the same shall be confirmed only after approval of this Hon'ble Court.”

The property known to the respondents was subjected to auction and after the vacant possession of the property the same shall again be subjected to auction and if so sold the same shall be confirmed only after approval of this Hon'ble Court.

In view of above, we find that the auction has still this date has not been confirmed. We, therefore, do not find any case is made out for contempt, the proceedings are dropped.

(Vinay Joshi, J.)

(R.K. Deshpande, J.)