

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

**CONTEMPT PETITION NO. 55 OF 2020
IN
WRIT PETITION NO. 6547 OF 2019**

Vijay Shivaji Salunke

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. S.C. Yeramwar, Advocate for petitioner
Mrs. P.V. Diggikar, A.G.P. for respondent – State
Mr. B.S. Deshmukh, Advocate for respondent no.3
....

**CORAM : P.B. VARALE AND
R.G. AVACHAT, JJ.
DATED : 22nd JANUARY, 2020**

PER COURT :

On a grievance that the respondents have committed contempt of order of this Court dated 03rd September, 2019 in Writ Petition No. 6547 of 2019, the petitioner had filed present contempt petition on 13th January, 2020.

2. It seems that on receipt of private notice of the petition, the Respondent No.3 – employer i.e. The Divisional Controller, Maharashtra State Road Transport Corporation Ltd., Ahmednagar issued an order dated 15th January, 2020, whereby the earlier order no. 4703 dated 07th January, 2020

is canceled. By order dated 07th January, 2020, the petitioner was reverted and it seems that the error committed by Respondent No.3 is rectified and corrected by order dated 07th January, 2020. The communication addressed to learned Counsel for Respondent No.3 is taken on record and marked as “X” for identification. Considering this fact, the grievance of the petitioner no more survives against Respondent No.3 – employer.

3. In so far as grievance against Respondent No.2 – Scrutiny Committee is concerned, learned A.G.P. placed on record communication dated 21st January, 2020 addressed to the office of Government Pleader and it is stated that the petitioner was called upon for hearing by providing copy of the vigilance cell report. The petitioner then requested for postponement of hearing and also expressed his willingness for withdrawal of the contempt petition through the communication addressed to the committee. The communication dated 21st January, 2020 states that so as to comply necessary formalities, it would require three weeks time and accordingly request is made in communication for extension of period by three weeks. Communication dated 21st January, 2020 is taken on record and marked as “X-2” for identification.

4. Considering sequence of the events referred to above, prayer for extension of time is granted. In view of the above facts, it can safely be stated that grievance of the petitioner against the scrutiny committee is also only on

assumption and presumption. As such, contempt petition is disposed of by accepting the statement of the scrutiny committee.

SSD (R.G. AVACHAT, J.)

(P.B. VARALE, J.)