

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

CONTEMPT PETITION NO. 528 OF 2019

M/s. Shembekar Industries	..Petitioner.
Versus	
Shri. Ramesh Kale	
The Additional Collector and Competent	
Authority, Pune Urban Agglomeration	
and others.	..Respondents.

Mr. T. D. Deshmukh, Advocate for Petitioner.
Smt. S. S. Bhende, A.G.P for Respondent No.2

CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 15th JANUARY, 2020.

PC :

1. Heard the learned counsel for the parties.
2. By this Contempt Petition, the Petitioner alleges that, this court by order dated 23/11/2017 in Writ Petition No.10113 of 2017 had directed the respondents to decide their application within six weeks from receipt of copy of application, but they have failed and neglected to do so.
3. Learned counsel Mr. Deshmukh for the petitioner submits that, the petitioner had filed their application on 29/11/2017 in the office of Additional Collector and competent Authority (Exhibit B). He submits that, thereafter

he received a letter dated 11/12/2017 from the office of the competent authority calling some explanation and documents. He submits that, that was complied by the petitioner by letter dated 20/12/2017. He submits that, thereafter the authority has passed the order dated 10/06/2019 i.e. after more than one year. Hence, he has preferred the present Contempt Petition.

4. On the other hand, learned A.G.P. Smt. Bhende appearing on behalf of the respondents vehemently opposed the present Contempt Petition. Learned A.G.P. submits that, they have filed affidavit in reply dated 01/10/2019. She submits that, they have decided the petitioner's application on 10/06/2019 and have informed the petitioner to that effect. She submits that, there is delay in passing said order. She submits that, because of administrative work it remained on the part of concerned person to take immediate decision. She submits that, the respondents have tendered unconditional apology for not complying the order dated 23/11/2017 within time. She submits that, in the interest of justice, this Hon'ble Court be pleased to condone the delay in complying the order dated 23/11/2017 and accept their unconditional apology.

5. We have heard both the sides at length. On reading of affidavit in reply filed by the respondents and as application is decided by order dated 10/06/2019, we are of

the opinion that the delay can be condoned for complying the order dated 23/11/2017 by accepting the Respondent's unconditional apology.

6. In view of these facts, nothing survives in the present Contempt Petition. Hence, the following order.

- a) Delay in complying the order dated 23rd November 2017 on the part of Respondents is condoned.
- b) Unconditional apology tendered by the respondents by affidavit in reply is accepted.
- c) The Contempt Petition stands dismissed.
- d) No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)
