

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

**CONTEMPT PETITION NO.250/2018**

**IN**

**WRIT PETITION NO.5383/2016**

Courts on its own motion Vs. Ramesh Namdeo Katke and others.

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

Court's or Judge's order

.....  
Shri A. Shelat, Advocate for Respondent Nos. 1 and 2.  
Shri S. P. Kshirsagar, Advocate for Respondent No.4.  
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**CORAM : A. S. CHANDURKAR &  
AMIT B. BORKAR, JJ.**

**DATED : 11<sup>th</sup> MARCH, 2020.**

. This Court while deciding Writ Petition No.5383 of 2016, had found that the respondents in that writ petition had not complied with the earlier directions that were issued on 06.03.2017. By that order, the respondent Nos. 1 and 2 with the assistance of respondent No.3 were directed to take necessary steps under Section 80 of the Maharashtra Co-operative Societies Act, 1960 and complete the process of audit. Hence, on 27.07.2018, this Court found it fit to initiate suo motu action against the said respondents. Accordingly, the present proceedings were initiated.

2] Reply has been filed on behalf of respondent Nos.1 and 2. The said respondents have tendered unconditional apology for the fact that compliance of the earlier order dated 06.03.2017 could not be brought to the notice of this Court. In the reply, it has been further stated

that on 23.07.2018, the audit proceedings were completed by the Auditor and the report has been submitted to the District Deputy Registrar.

3] It is thus found that prior to passing of the order in Writ Petition No.5383 of 2016, the direction to complete the proceedings under Section 80 of the said Act had been complied with. It appears that this fact was not brought to the notice of the Court when the said writ petition was decided. It is therefore, found that there is no deliberate disobedience of the order dated 06.03.2017. We therefore do not find it necessary to proceed further in these proceedings and the same are accordingly dropped. Similarly, the direction to pay costs of Rs.2000/- issued to respondent Nos. 1 to 3 is recalled.

4] The respondent No.4 has filed Civil Application Stamp No.19686 of 2018 in Writ Petition No.5383 of 2016 stating therein that the respondent No.4 be permitted to deposit the amount of costs with the High Court Bar Library, Nagpur. That prayer is accepted and the respondent No.4 is permitted to deposit the costs with the High Court Bar Library, Nagpur. Civil Application as well as Suo Motu Contempt Petition is disposed of.

**JUDGE**

**JUDGE**

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