

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

CONTEMPT PETITION NO. 356 OF 2019
IN
WRIT PETITION NO. 2890 OF 2019 (D)

Jayant Dadaji Lambat

vs.

Shalikram Bharadi, District Supply Officer, Yavatmal & another

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

Court's or Judge's orders

Shri. P. S. Patil, counsel for petitioner.
Shri. S. M. Ukey, AGP for respondent No.1.

CORAM : MANISH PITALE J.

DATED : 14/09/2020

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. In pursuance of directions given by this Court, an affidavit came to be filed by respondent No.1, stating that the order pursuant to remand of proceedings by this Court was eventually passed on 24/02/2020.

3. It is submitted by respondent No.1 that although, in terms of the order dated 02/07/2019 passed by this Court, the said order ought to have been passed on or before 28/08/2019, but it was eventually passed after the stipulated time period due to the fact that report was required to be called from the concerned Inspector. It is submitted that due to the fact that report

was awaited, the order was eventually passed on 24/02/2020.

4. It is vehemently submitted on behalf of the petitioner that since the order was passed by the respondent No.1 beyond the stipulated time period, the respondent No.1 was guilty of contempt of order of this Court.

5. Considering the over all circumstances and the fact that a report was required to be called from the Inspector before an order to be passed in the matter, this Court is of the opinion that the present contempt petition deserves to be disposed of, since the respondent No.1 has complied with the directions of this Court insofar as passing of final order upon remand of proceedings. The explanation given for the order being passed beyond the stipulated period of time appears to be reasonable, although it would have been appropriate for the respondent No.1 to have approached this Court for extension of time.

6. In the peculiar facts and circumstances of the present case, this court is of the opinion that no purpose would be served by keeping the 6present contempt petition pending.

7. Hence, the petition is disposed of.

8. The order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

KOLHE/PA.