

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

**CIVIL APPLICATION NO.8848 OF 2021
IN WP/5507/2020
WITH
WRIT PETITION NO.5507 OF 2020**

**KALPANA DHANRAJ PAKALE ALIAS KALPANA
RAJENDRA LANDGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for the Applicant/ Petitioner : Shri Panpatte V.S.
AGP for Respondent 1/ State : Shri S.R. Yadav Lonikar
Advocate for Respondents 2 and 3 : Ms.V.S. Choudhari
...

**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 06th September, 2021

Per Court :-

1. In the hearing held on 02.09.2021, it was obvious that though this Court had granted interim relief on 06.08.2020, which order was to be followed by the Chief Executive Officer, Zilla Parishad, Nandurbar as well as the Child Development Project Officer, the Chief Executive Officer on his own issued the order dated 30.07.2021 transferring the petitioner and

thereby, violated the order passed by this Court. We granted an opportunity to respondent Nos.2 and 3 to put forth an explanation, though we avoided passing a specific order.

2. Today, the Child Development Project Officer Shri Bhausahab Uttam Borkar has filed an affidavit on behalf of himself and the Chief Executive Officer. An apology is tendered on behalf of the Chief Executive Officer as well as himself. This clearly indicates to us that the Chief Executive Officer has shown signs of defiance and has attempted to overbear the majesty of law by not even filing an affidavit apology and directing the Child Development Project Officer to file it on his behalf. Such conduct cannot be countenanced.

3. We are, therefore, issuing a notice for contempt of court under the provisions of the Contempt of Courts Act to Shri Raghunath Gawade, Chief Executive Officer, Zilla Parishad, Nandurbar, returnable on 05.10.2021. Office shall issue notice in the prescribed format to enable him to show cause as to why he should not be punished for the contempt of court. He shall remain present in the Court.

4. Considering the order dated 03.09.2021 placed at page 42 in the affidavit in reply filed by respondent No.3, the

grievance of the petitioner to the extent of the prayers in the Civil Application is redressed. As such, this Civil Application is disposed off.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)