

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 225 OF 2021
IN
WRIT PETITION NO. 5382 OF 2021

Shri Gopinath Kanha Baraf & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents

Mr.M.V.Rawool for the Petitioners.

Mr.A.I.Patel, Addl. G.P. a/w. Mr. R.S.Pawar, AGP for Respondent No. 1

Mr.Anil D'souza for Respondent No. 3.

Mr.K.P.Shah for Respondent No. 4.

Mr.Ganesh Kanha Baraf – Petitioner No. 2, present in person.

Mr.Sadanand Kaluram Baraf – Petitioner No. 7, present in person.

Mr.Nityanand Kaluram Baraf – Petitioner No. 9, present in person.

Ms.Usha Parmar @ Ms. Usha Ramnaresh Yadav – Respondent No. 4, present in person.

CORAM : S.J. KATHAWALLA, &

MILIND N. JADHAV, JJ.

DATE : 30TH SEPTEMBER, 2021

P.C. :

1. Mr.Nityanand Kaluram Baraf – Petitioner No. 9 in the above Writ Petition along with Petitioner Nos. 2 and 7 are present before us. They have informed the Court for self and on behalf of all the other Petitioners from whom Mr. Nityanand Kaluram Baraf holds a Power of Attorney, that they are wanting to withdraw the above

Contempt Petition as well as Writ Petition No. 5382 of 2021. They have further informed the Court that there is no force, fraud and / or collusion involved and that they want to withdraw the above Contempt Petition of their free will and volition. The statements are accepted as the undertakings given to the Court.

2. The Affidavit of Mr.Nityanand Kaluram Baraf dated 30th September, 2021 is taken on record.

3. Writ Petition No. 5382 of 2021 stands disposed off by an Order of this Court dated 23rd September, 2021.

4. Ms. Usha Parmar @ Ms. Usha Ramnaresh Yadav – Respondent No. 4 is present before the Court. She has also filed her Affidavit dated 30th September, 2021. The same is taken on record. She has informed the Court that Writ Petition No. 5382 of 2021 filed by the Petitioners was disposed off as withdrawn by this Court by its Order dated 23rd September, 2021. She states that the Order passed by the State Government dated 17th March, 2021 is acceptable to her and she has no objection to the same. She has read out the entire contents of her Affidavit and has informed the Court that she has understood the contents of the same. The statements made before the Court by herself as well as in her Affidavit are accepted as undertakings given to the Court.

5. The Show Cause Notice ordered to be issued by our Order dated 23rd September, 2021, is waived by the husband of Respondent No. 4. He has also filed his Affidavit dated 30th September, 2021. He has tendered unconditional apology for his

conduct which recorded in the Order date 23rd September, 2021. Though his apology is accepted, he given a warning that if he repeats such conduct in future stern action will be taken against him by the Court.

6. The above Contempt Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)