

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

**CONTEMPT PETITION NO. 114/2021 IN WRIT PETITION NO. 4956/2019 (D)**

(JAWAHAR JIVANDAS SAMPAT THR. POA ANIL RADHESHYAM SHARMA & ANOTHER **VERSUS**  
BHUSHAN GANGRANI, PRINCIPAL SECRETARY, URBAN DEVELOPMENT DEPARTMENT,  
MANTRALAYA, MUMBAI-32)

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

*Court's or Judge's order*

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Shri Tejas Deshpande, counsel for the petitioners.  
Ms S.S. Jachak, A.G.P. for the respondent.

**CORAM : A. S. CHANDURKAR AND G.A. SANAP, JJ.**

**DATED : 12<sup>TH</sup> OCTOBER, 2021.**

The grievance of the petitioners is as regards the non-compliance of the directions issued in Writ Petition No.4956 of 2019. By the order dated 15.10.2020, the respondent and especially the respondent no.1 was directed to decide the representation dated 30.03.2019 that was filed by the petitioners within a period of four weeks from the date of receipt of that order by the respondent. Since these directions were not complied within the period stipulated the present proceedings came to be filed.

During the pendency of the proceedings, an order dated 16.09.2021 is placed on record indicating the decision taken on the representation dated 30.03.2019. The learned counsel for the petitioners submits that if the representation dated 30.03.2019 is perused the basis for making that representation required the respondent to accept the request made therein. However, the request as made in the representation has not at all been considered while taking such decision.

In exercise of contempt jurisdiction, it would not be permissible for the Court to examine the correctness of the decision taken on the representation as made. The only direction issued in the writ petition was to take a decision which as accordingly been taken. Though there has been some delay in taking that decision, we do not find that such delay is deliberate and amounts to wilful disobedience of the order. If the petitioners are not satisfied with the decision as taken, they are free to avail such remedies as are available in law.

In view of aforesaid, the contempt petition is disposed of.

(G.A. SANAP, J.)

(A. S. CHANDURKAR, J.)

APTE