

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

CONTEMPT PETITION NO. 23/2019 IN WRIT PETITION NO. 655/2009 (D)

(DURGA BHAGWAN INKAR **VERSUS** DILIP PATIL BHUJBAL, SUPERINTENDENT OF POLICE,
BULDANA)

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

Court's or Judge's order

Shri V.B. Bhise, counsel for the petitioner.
Ms S.S. Jachak, A.G.P for the R-State.

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

DATED : 20TH OCTOBER, 2021.

The grievance of the petitioner herein is that the directions issued in Writ Petition No.655 of 2009 dated 20.03.2009 directing the Superintendent of Police, Buldana to re-consider the issue of termination of services of the petitioner afresh by following the principles of natural justice has not been complied with. According to the petitioner, she was not granted any hearing despite the aforesaid directions.

After notice was issued in the contempt petition, affidavit was filed by the respondent in which it was stated that on 21.04.2009 the petitioner was summoned by a wireless message and was granted a hearing. In that regard the document dated 22.04.2009 issued to the petitioner is placed on record. The petitioner has denied her signature on this document and hence the respondent was called upon to place on record the service of the communication dated 19.01.2010 that was shown to be issued to the petitioner. By filing an additional affidavit it has now been stated that no records of the outward register were available with the Office since the records were maintained for the period of ten years and thereafter destroyed.

Considering the aforesaid aspect, it is found that the directions issued in the writ petition have not been taken to their logical end or at least they have not been shown to have been taken to the logical end. In the additional affidavit filed on behalf of the respondent dated 11.10.2021 it has been stated that the respondent is willing to give the fresh hearing to the petitioner pursuant to the directions issued in the writ petition.

We find that in the light of the aforesaid stand as taken which would be in compliance of the directions issued in Writ Petition No.655 of 2009, the present proceedings are disposed of by permitting the respondent to grant fresh hearing to the petitioner as directed by the order dated 20.03.2009 in the said writ petition. For this purpose, the petitioner shall attend the Office of the respondent on 27.10.2021 at 11.00 a.m. An opportunity of hearing be granted to the petitioner as directed in Writ Petition No.655 of 2009 and the decision taken thereon be communicated to the petitioner by Registered Post with Acknowledgment. Needless to state that if any adverse decision is taken the petitioner is free to challenge the same in accordance with law.

(G.A. SANAP, J.)

(A. S. CHANDURKAR, J.)

APTE