

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

**101 CONTEMPT PETITION NO.395 OF 2022
IN
WP/296/2022**

**UMESH RAMKRUSHNA SALUNKE AND ANOTHER
VERSUS
ANIL MADHUKAR PATIL AND ANOTHER**

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**Advocate for Petitioners: Mr. Mangesh G. Patil
AGP for Respondent/State: Mr. A. R. Kale**

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**CORAM: RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE: 06th SEPTEMBER, 2022

PER COURT:

1. By this Petition, the Petitioners allege contempt in the light of the order dated 11.02.2022, passed by this Court in Writ Petition No.296 of 2022.

2. The learned Advocate for the Petitioners has specifically drawn our attention to Clause 10(iv) of the order dated 11.02.2022, which reads as under:-

“(iv) The further steps in the elections may be conducted in tune with the orders that

may be passed in Change Application No.734/2019."

3. The learned Advocate for the Petitioners candidly submits that the direction to pass an order in the Change Application No.734 of 2019, has been complied with by the Deputy Charity Commissioner, Jalgaon on 24.03.2022. He, thus, submits that the election to be conducted in tune with the said order, has not been properly conducted by Respondent Nos.1 and 2. He concedes that the elections were held and the counting of votes pursuant to the order of the Deputy Charity Commissioner, Jalgaon has been carried out. The grievance is that the Respondent has not properly understood the order of the Deputy Charity Commissioner, Jalgaon.

4. This can hardly be said to be an act on the part of the Respondent, as being a deliberate or willful or intentional disobedience of the direction of this Court. If, on merits, any authority has faulted in it's understanding and

has acted as per the order, it would not amount to a willful, intentional and deliberate disobedience.

5. In view of the above, this Petition is dismissed.

6. We were about to impose costs in this matter. However, the learned Advocate has humbly prayed that costs may not be imposed as the Petitioners are unable to deposit the costs. Hence, we are not imposing costs.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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