

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 52 OF 2022

Janta Shikshan Sanstha, through
President Popat Vyankatrao Deokar ... Petitioner.

V/s.

Ramchandra Maruti Gonte ... Respondent.

Ms. Shraddha Pawar, i/b Mr. Dilip Bodake, for the Petitioner.
Dr. Uday P. Warunjikar, i/b Ms. Sonali Chavan, for Respondent No.
1.

Mr. S.B. Kalel, AGP, for the Respondent-State.

**CORAM : NITIN JAMDAR AND
AMIT BORKAR, JJ.**

**DATE : 4 FEBRUARY 2022.
(Through Video Conferencing)**

P.C. :

This contempt petition is filed by the Petitioner making a grievance that the order dated 2 December 2021 passed by this Court in Writ Petition No. 12198 of 2019 and others has not been complied with.

2. Paragraph 39 of the Petition stated that after the order was passed on 2 December 2021, the Petitioner – Institute have sent

notices to the Respondent No. 1 on 4 December 2021, 7 December 2021 and 9 December 2021 and since the order has not been complied with, the Respondents are liable to be proceeded against in contempt.

3. Respondent No. 1 – Headmaster is made party personally. The Education Officer, Zilla Parishad is made party personally. The Petitioner seems to have given them notices in advance and the Respondent No. 1 in view of the notices is required to engage an Advocate.

4. All this has been done by the Petitioner without even waiting to give opportunity to the Respondents to comply with the order. Clause 2 of the operative portion of the order dated 2 December 2021 grants time of four weeks to comply with part of the order. Without even waiting for the four weeks to be completed, immediately on the second day, the Petitioner has started demanding implementation and filed this Contempt Petition on 17 December 2021, before the four weeks have expired.

5. The Petitioner has abused the process of law by filing this contempt petition and giving notices for achieving personal end. Filing of contempt proceedings, which can result in penal consequences, cannot be resorted to lightly. In view of the notice, Respondent No. 1 had to engage an Advocate to defend himself. Therefore, while we dismiss this Contempt Petition, we impose costs

of Rs. 5,000/- on the Petitioner to be paid to the Respondent No. 1, within two weeks from today.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)