



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

**CONT. PETITION NO. 530 OF 2024
IN WP/1625/2022**

SARANGDHAR RAMKRUSHNA INGLE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY GENERAL
ADMINISTRATION DEPARTMENT MANTRALAYA MUMBAI**

....

Mr. S. C. Yeramwar, Advocate for Petitioner

Mr. A. B. Girase, Government a/w Mr. S. J. Salgare, AGP for
Respondent – State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 25.07.2024

PER COURT :-

1. Leave to add. Addition be carried out forthwith. The learned Government Pleader appears on behalf of the added authorities. All these Respondents are present in the Court.

2. We have extensively heard the submissions of the learned Advocate for the Petitioners and the learned Government Pleader. We have also perused the affidavit-in-reply filed by the alleged contemnors.

3. Considering the order that we are passing in the face of the admission on the part of the alleged contemnors of having

disobeyed our order dated 23.02.2022, we are not going into the details of their submissions. Suffice it to say that despite the directions of the High Court, the Respondents had the courage to disobey our order for 26 months. It is only after the Petitioner filed this contempt of Court proceeding, that these officers have reacted to our order dated 23.02.2022, passed in Writ Petition No. 1625 of 2022. An eye wash was created before us to indicate that the last hearing in the matter of the Petitioner was held on 30.07.2023 and a re-inquiry was ordered to the Vigilance Cell on 16.10.2023 and the matter is still pending.

4. Per contra, a coordinate Bench of this Court had granted three months time to the Committee to decide the claim of the Petitioner.

5. Be that as it may, we were on the verge of declaring that these four Respondents are guilty of contempt and deserve a strict penalty/punishment. The learned Government Pleader has repeatedly urged the Court, not to pass an order of punishment. On instructions from these contemnors present in the Court, it was informed to us that they would file their individual affidavits and they would voluntarily deposit Rs.25,000/- each, as costs.

6. The learned Advocate for the Petitioner points out that if not all of these four Respondents, at least one of them, namely Smt. Pritee d/o Dinanathappa Bondre (Kelkar), who is presently working as Joint Commissioner and Vice Chairman of the Scheduled Tribe Certificate Scrutiny Committee, Amravati, is facing not less than 42 Contempt of Court cases at the Nagpur Bench and at this Bench. Many of them have been disposed off after the concerned officer tendered apologies in the Court. In the backdrop of about 42 Contempt of Court proceedings, the said officer is before us in yet another contempt.

7. As is repeatedly said by the Courts that the proceeding under the Contempt of Courts Act is only to caution the contemnors regarding their acts of disobedience. At the same time, if there are compelling circumstances, by which they are unable to comply with the orders within the timeline, such factors also have to be taken into account. Be that as it may, we have repeatedly said in such matters that if certain officer is unable to comply with the order of this Court within the timeline granted, the easiest and the simplest way is to move a Civil Application before the Court in the disposed off matter,

explain away the reasons for the inability to comply with the directions and seek extension.

8. What we have repeatedly found is that, these officers neither take any legal advice, nor do they move a Civil Application in the Court for seeking extension of time. They disobey our orders and wait till a contempt Petition is filed. We have hardly sentenced any contemner. Invariably, the pardon is on the basis of an apology or an affidavit in writing. This seems to have had a very little impact on such officers. The case in hands, could have been one case wherein we could have taken a strict view, but for the strenuous submissions of the learned Government Pleader who consistently pleaded to us for one pardon to these officers, including the officer namely Mrs. Pritee d/o Dinanathappa Bondre (Kelkar).

9. In view of the peculiar facts as above, the affidavits tendered by these four Respondents are accepted. The amounts that they intend to deposit in this Court, be deposited from their salary bank accounts through a bank transaction, within a period of 15 days.

10. The learned Advocate for the Petitioner graciously submits on instructions that the Petitioner desires that the entire

amount be donated to a noble cause. We appreciate the gesture of the Petitioner.

11. The amount of Rs.1,00,000/- (Rupees One Lakh), which would be deposited by these 4 Respondents, shall be donated as follows:-

Sr. No.	Name of Institution	Bank Details	Amount to be Transmitted
1.	Infant India, Anandwan, 659/Infant Hill, Infront of Bindusara Dam, N.H. 211, Pali, Beed-431122. Mobile-9422693585/ 9822456411.	Canara Bank A/c No. 3773201000011 IFS Code: CNRB0003773	Rs. 25,000/-
2.	Orphanage home i.e. "Shantivan", Arvi, Tq.Shirur Kasar, District Beed. "Bhavani Vidhyarthi Kalyan Pratishthan, Arvi",	State Bank of India, Branch Shirur (Kasar), Account No. 33446000963 IFSC Code : SBIN0005995	Rs.25,000/-
3.	The Government Cancer Hospital at Chhatrapati Sambhajanagar (Aurangabad).	---	Rs.25,000/-
4.	The Government Medical College and Hospital (GHATI) at Chhatrapati Sambhajanagar (Aurangabad).	---	Rs.25,000/-

12. This order and the depositing of the cost in this Court, shall be entered in the Service-Book of these four officers. We direct the learned Registrar (Judicial) of this Court to place this order before the Principal Secretary, Tribal Development Department, for issuing instructions for making entries in their Service-Books.

13. In view of the above, **the Contempt Proceeding stands purged and disposed off.**

14. Since the claim of the Petitioner has been invalidated by the said Committee, comprising of these officers, the learned Advocate submits that the Petitioner has already challenged the said order before the Nagpur Bench.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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