



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

**934 CONT. PETITION NO. 218 OF 2023
WITH
CIVIL APPLICATION NO. 3070 OF 2024
IN CP/218/2023**

**PRASAD CHANDRAM ASHANNA
VERSUS
SHYAMAL MUKHERJEE THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY**

...
Advocate for Petitioner : Mr. Thombre Chandrakant V.
AGP for Respondent Nos. 3 & 4 : Mr. M.M. Nerlikar
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 19 MARCH 2024

PER COURT :

Heard both the sides.

2. The order of which disobedience is being alleged and particularly paragraph no. 5 reads thus :

“5. We expect, respondent Nos. 2 to 4 to consider the representation of the petitioner dated 06.10.2022 on it's own merits and by taking into account the entire record of project work. If any amount is admissible, the same be paid to the petitioner. If there is dispute as regards any amount, a specific communication, listing out the reasons, be conveyed to the petitioner so as to enable him to avail of the remedy, as is permissible in

law. Let such exercise be concluded on or before 15.01.2023.”

3. Affidavit-in-reply was filed stating that except an amount of Rs. 2,59,034/- the rest of the petitioner's bills were cleared. So far as this figure, they were expected to communicate him the reasons for not paying him the amount. It appears that by communication exhibit R-2, the petitioner was informed the reasons. Needless to state that it is always open for him to take exception to the reasons in an appropriate proceedings.

4. So far as the compliance is concerned, that has been done. Nothing survives. Contempt petition is disposed of. The application for recalling all theailable warrants is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]