

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

**CONTEMPT PETITION NO.4 OF 2024
IN
WRIT PETITION NO.345 OF 2023**

SARAS CO-OPERATIVE HOUSING SOCIETY
LTD., THR ITS CHAIRMAN SHRIKANT
VISHNU GAONKAR

...Petitioner

Versus

PUNET KUMAR GOEL,
STATE OF GOA AND 5 ORS

... Respondents

Mr V. Braganza, Advocate for the CCP.

**CORAM: M.S. SONAK &
BHARAT P. DESHPANDE,JJ.**

DATED : 21st FEBRUARY, 2024

P. C.

1. Heard Mr Braganza, learned Counsel appearing on behalf of the CCP. The learned Counsel for the petitioner, who was present yesterday has chosen not to remain present today.
2. Mr Braganza tenders the affidavit of Mr Clen Madeira, the Commissioner of Corporation of the City of Panaji (CCP), and the same is taken on record.
3. Mr Braganza states that the Show Cause Notice dated 24/01/2022 is already disposed of by judgment and order dated 13/02/2024. A copy of this judgment and order is also annexed to the affidavit. Mr Braganza therefore states that now there is compliance with directions issued by this Court in its judgment and Order dated 27/09/2023.
4. The Commissioner has filed a lengthy affidavit, However, there is no explanation as to why no application was filed for extension. The petitioner

was forced to institute this contempt petition and it is only thereafter, that this Commissioner has acted, we should say that with utmost distress.

5. Orders made by the Court include the timeline set out therein that must be obeyed. If for unavoidable reasons abeyance is not possible application could always be made to seek an extension of time. After the extension is applied for good reasons, the courts invariably grant the extension. However, the authorities who are directed to act must not force the parties to approach the Court for initiation of its contempt jurisdiction.

6. Now considering the explanation provided in the affidavit including the fact that the present Commissioner was deputed and assigned some works at the National Games till 09/11/2023, we condon the lapse and refrained from initiating any action under the Contempt of Court Act.

7. Accordingly, this petition is disposed of.

BHARAT P. DESHPANDE, J.

M.S. SONAK, J.

MEENA
VISHAL BHOIR

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