

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 185 OF 2024

Rashtriya Shramik Aghadi } Petitioner
versus
The State of Maharashtra & Ors. } Respondents

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Dr. Uday P. Warunjikar i/b. Mr. Sumit Kate for petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Additional Government Pleader and Ms. G. R. Raghuwanshi, AGP for respondent no. 1.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: 25th JUNE 2024

P.C.:

1. By instituting the proceedings of this contempt petition, contempt of an order passed by a coordinate Bench of this Court, as far back as on 5th January 2023, has been alleged. The assertion made by the petitioner is that by the said order, it was required to make a representation to the concerned Committee and the Committee was thereafter directed to decide the same on merits and in accordance with law and policy, however, despite a period of one and half year having been lapsed, till date, no decision, pursuant to the order dated 5th January 2023 passed by the Court, has been communicated to the petitioner.

2. On 13th March 2024, the matter was adjourned to 28th March 2024 to enable the learned Government Pleader to seek instructions, however, when the matter has been called out today, the learned AGP submits that for certain reasons, the decision has yet not been finally taken and the concerned file is in submission before the Hon'ble Deputy Chief Minister.

3. Such a plea raised by the learned AGP does not appear to be acceptable for the reason that the decision under the order dated 5th January 2023 is to be taken by the Committee constituted under the Government Resolution dated 14th December 2022, of which Hon'ble Deputy Chief Minister is its Chairman, whereas Hon'ble Minister for Revenue, Animal Husbandry and Milk Development, Hon'ble Minister for Tourism Development, Hon'ble Guardian Minister for City of Mumbai, Additional Chief Secretary, Department of Revenue, Additional Chief Secretary, Department of Urban Development and Principal Secretary, Department of Animal Husbandry and Milk Development are its members. The Principal Secretary of the Department of Animal Husbandry and Milk Development being its Member Secretary, no explanation can be said to be satisfactory for such a delay of more than one and half year in taking the decision which the Committee was required to take in terms of the order dated 5th January 2023.

4. The Court had not expressed any opinion on the issue; rather found it appropriate to direct the Committee to take decision on merits, in accordance with law and in terms of the Government policy. We cannot appreciate such a delay, however, on the request of the learned AGP, we adjourn the matter today.

5. Learned Government Pleader, on the basis instructions received, has stated that the order passed by the Court shall be complied by the end of July 2024.

6. Stand over to **5th August 2024.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)