

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUO MOTU WRIT PETITION NO. 02 OF 2024

High Court of Judicature at Bombay
on its Own Motion.

....Petitioner.

Vs.

1) Mayur Gulabrao Patil,
Residing at Nandadeep,
Yogeshwar Colony,
Malegaon Camp,
Nashik-423105.

2) Dinesh Nimba Kadam,
104, Sethia Grandeur,
Opposite UPL Office,
Bandra, Mumbai-400 051.

....Respondents.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**
DATE : 14th NOVEMBER, 2024.

PC.:-

1) It is about an unfortunate incident which occurred outside
Court Room No.53 today at about 1.15 p.m..

2) In view of the assignment of this Court, there are lot of litigants attending the Court room/proceedings. We have therefore directed our Peons and the Police Constable on duty to direct the litigants to maintain silence and peace not only within the Court room but also outside i.e. in the corridors of the Court.

3) Today, between 1.30 p.m. to 1.40 p.m. Mr. Atul D. Tayade, a Peon attached to this Court came to our Chamber and narrated the incident occurred in the corridors of this Court at about 1.15 p.m.. He informed us that, when he was trying to maintain peace in the corridors of the Court under our directions, one person by name Mr. Mayur Gulabrao Patil accompanied with an Advocate Mr. Dinesh Nimba Kadam verbally abused him in filthy language and tried to physically assault/manhandle him.

Mr. Mayur Patil had shown him his identity card being a Deputy Commissioner of Municipal Corporation of Nashik. That, Advocate Mr. Dinesh Kadam, accompanied with Mr. Mayur Patil threatened our peon by saying that, he would lodge a complaint against him with the appointing Authority and his services would be terminated by the evening. We consciously avoid reproducing the filthy and unparliamentary language used by Advocate Mr. Dinesh Kadam accompanied with Mr. Mayur Patil to maintain decency and dignity.

4) In view of the above, we had requested Adv. Ms. Chaitrali Deshmukh who usually appears for Nashik Municipal Corporation to appear

in the Court, to assist us.

5) At about 2.45 p.m. Mr. Mayur Patil, Deputy Commissioner, Nashik Municipal Corporation and Advocate Mr. Dinesh Kadam appeared before us. Advocate Mr. Dinesh Kadam tried to defend his action against our peon. We expressed our strong displeasure over the conduct of both of them.

6) It will not be out of way to place the fact on record that, we were in fact, inclined to direct Mr. Atul Tayade, peon to lodge a crime under the provisions of the Penal Code i.e. Bharatiya Nyaya Sanhita against Mr. Mayur Patil and Advocate Mr. Dinesh Kadam for the above act committed by them in the precincts of this Court.

7) At that juncture, Senior Advocate Mr. Ram Apte and Advocate Mr. Subhash Jha intervened and requested this Court not to take any stringent action or to further precipitate the matter, as it may ruin the professional career of Advocate Mr. Dinesh Kadam.

8) Advocate Mr. Dinesh Kadam for himself and Advocate Ms. Chaitrali Deshmukh, appearing for Mr. Mayur Patil submitted that, the said two persons viz. Mr. Kadam and Mr. Patil will file their detailed Affidavits tendering unconditional apology for the unpleasant situation created by them at about 1.15 p.m. in the corridors of this Court.

We had acceded to their request.

9) At about 5.00 p.m. Mr. Mayur Patil and Advocate Mr. Dinesh

Kadam tendered across the bar their respective personal Affidavits dated 14th November, 2024, duly affirmed before a Notary Public. The said Affidavits are taken on record and marked as “X” and “X-1” for identification. Both of them have tendered their unconditional apology, not only to this Court but also to Mr. Atul D. Tayade, Peon of this Court. We accept the said apology.

However, we caution both the said Respondents to be cautious and careful in future and not to indulge such act/s and/or activity/ies in the precincts of any Court in the State of Maharashtra.

10) Petition is disposed off in the aforesaid terms.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date:
2024.11.22
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