

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

969 CONT. PETITION NO. 401 OF 2024
IN WP/12753/2023

Shivraj Malojirao Tondchirkar

..Petitioner

Versus

Municipal Council Udgir,

Through Its Chief Officer, At and Post Udgir

..Respondent

.....

Shri. P. G. Godhamgaonkar, Advocate for the Petitioner

Shri. Parikshit S. Mantri h/f. Shri. Parag V. Barde, Advocate for
Respondent No.1

.....

CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : JANUARY 10, 2025

PER COURT :-

. Heard.

2. This Contempt Petition is filed for non compliance of the Order dated 16.10.2023 passed by this Court in Writ Petition No.12753 of 2023 by which the following directions were issued.

“3. In view of the above, this Petition is disposed off with a direction to the Municipal Council to look into the grievance voiced by the Petitioner and deal with the same strictly in accordance with law, as is applicable, within a period of sixty days from today.”

3. The learned Advocate for the Petitioner has filed Rejoinder to the Affidavit-in-reply filed by the Municipal Council. The Rejoinder is taken on record and marked as ‘X-1’ for the purpose of identification.

4. The learned Advocate for Respondent No.1 – Municipal Council submits that the Chief Officer of Municipal Council has filed

Affidavit-in-reply tendering his unconditional apology and further stating that the Petitioner's grievance was looked into and appropriate action has been taken. In paragraph no.4 of the Affidavit-in-reply, it is stated that, the order has been duly complied with and the grievance raised by the Petitioner does not survive.

5. Though the Petitioner has filed the Rejoinder raising disputed factual position, it is needless to state that this Court in Contempt Petition cannot go beyond order.

6. Since the order dated 16.10.2023 passed in Writ Petition No.12753 of 2023 has been complied with, nothing survives for consideration in the Contempt Petition and the same stands disposed of.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP