



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 941 OF 2024
IN
WRIT PETITION NO. 3492 OF 2024

Harish Sharad Bhambare

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

Petitioner-in-Person

Mr. S.J. Salgare, A.G.P. for respondent – State

....
CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : 30th JANUARY, 2025

PER COURT :

1. This contempt petition is filed for non-compliance of order dated 10th May, 2024 passed in Writ Petition No.3492 of 2024, which reads as under-

- “ Heard.
2. The party-in-person is tendering the inquiry report. It is taken on record.
3. Present petition has been filed for issuance of a writ against respondent Nos.2 to 4 to decide the Investigation Report dated 28.9.2023 by respondent No.4 to respondent No.2. In view of the said report submitted to respondent No.2, it would be appropriated to direct the respondent No.2 to take further decision.
4. Writ petition stands disposed of with direction to respondent No.2 to take appropriate action on the basis of report submitted on 28.9.2023 within a period of two months from today and inform the decision to the petitioner.”

2. Learned A.G.P appearing for the answering respondent tenders across the bar copy of the affidavit of Respondent No.2. Relevant paragraphs of the same read thus :-

“11. I say and submit that, in the meanwhile the Government has deleted the provisions of Active Member vide Ordinance dated 21.08.2023. I say that, therefore the respondent has also considered the subsequent developments while taking the decision on the report. I say that, accordingly said fact is mentioned in the decision and the same was communicated to the petitioner. I say that, therefore the respondent has taken the decision in accordance with law and within time as stipulated by this Hon’ble Court. I deny the contentions and allegations made against the respondent in the Contempt Proceedings.

12. I say that, apart from above, if any member of the concerned society or the bank is aggrieved by the provisions of bye-laws, then the said member may adopt the appropriate remedy for challenging the same.

13. I say and submit that, the respondent again tenders his unconditional apology to this Hon’ble Court for the inconvenience caused.

14. I say and submit that, there is no intention to disobey the order of this Hon’ble Court. I say that, in view of the statements made hereinabove, the contempt proceeding may kindly be dropped.”

3. We have gone through the said affidavit and communication (Exhibit ‘R-1’) enclosed with the same dated 09th July, 2024. On going through the said communication which is addressed to the petitioner, it is seen that there is reference of the report dated 28th September, 2023, which was before this Court in the contempt petition itself and accordingly directions were issued to take further action.

4. We see that by issuing the said communication dated 09th July, 2024, the answering respondent has complied with the order. Hence, contempt petition stands disposed of.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

SSD