



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 606 OF 2023
IN
WRIT PETITION NO. 8124 OF 2022

Prakash Narayan Fiske

..PETITIONER

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Mr. A.K. Tiwari, Advocate for petitioner

Mrs. K.B. Patil Bharaswadkar, Addl.GP. for respondents

....

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

DATE : 24th FEBRUARY, 2025

PER COURT :

1. This contempt petition is filed for non-compliance of order dated 05th August, 2022 passed in Writ Petition No. 8124 of 2022 by which following directions were issued :-

“3. We expect Respondent No.2 to act in the light of the communication dated 12.08.2021 and take a decision on the pending application of the petitioner dated 30.08.2019, on or before 30.09.2022.”

2. It is submitted by learned counsel for the petitioner that the concerned answering respondent did nothing till 30th September, 2022, which was the outer limit to take decision as per the aforesaid directions. He submits that in the affidavit-in-reply filed by the concerned answering

respondent, there is no explanation in respect of the delayed action. He submits that false statement is made on the affidavit that copy of the said order was received on a particular date.

3. It is submitted by learned Addl.G.P. that in the affidavit-in-reply, the concerned answering respondent has given chronology of events. He submits that unconditional apology has been tendered and the same may be accepted.

4. On going through the papers on record and previous order, it is clear that there is nothing to show that the concerned answering respondent acted pursuant to the order of this Court within the stipulated period. We deprecate such practice. However, considering that the concerned answering respondent has complied with the order of this Court, we accept the unconditional apology and dispose of the contempt petition.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

SSD