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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 914 OF 2024
IN
CRIMINAL WRIT PETITION NO.160 OF 2024

Vinod Bapurao Santakke & Others

PETITIONERS

VERSUS

Narayan B. Mane, Under Secretary
Home Department, Mantralaya, Mumbai

RESPONDENT

.....
Mr. Rupesh Anil Jaiswal, Advocate for the Petitioners
Mr. N. S. Takale, APP for Respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, &
MANJUSHA DESHPANDE, J. J.]

DATE : 1st APRIL, 2025

ORDER :

1. Respondent No.1/A is present before the Court. He has filed affidavit in reply explaining procedure followed in the matter. Original file is produced by him for our perusal.

It is pointed out that, Superintendent of Chhatrapati Sambhaji Nagar Central Prison in his affidavit dated 27th November, 2024 has stated that order passed by this Court on 25th September, 2024 was forwarded by him to the Government, vide letter dated 3rd October, 2024. Respondent No.1/A has stated in his affidavit that on receipt of the said order, on 4th October, 2024, he immediately submitted file for approval to the

Government, on the same day. As model code of conduct was in force from 15th October, 2024 to 23rd November, 2024, Government's approval could not be received. On the very next date of poll, i.e. on 21st November, 2024, the proposal of the Petitioners was decided and it was immediately communicated to the prison and the Petitioners were released on the same day i.e. on 21st November, 2024.

2. Perusal of the original file of the Government shows that approval was granted by the Government on 21st November, 2024. Thus, the delay of taking decision was not on the part of Respondent No.1/A. Fact remains that there is delay of almost two months on the part of the Government in granting approval to release of the Petitioners. In these peculiar facts, we drop the contempt action and discharge Respondent No.1/A. Accordingly, the Contempt Petition is disposed of.

3. Petitioners are at liberty to adopt appropriate legal proceedings for compensation against Government, if so advised.

[MANJUSHA DESHPANDE]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE