

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 504 OF 2024

Dr Mahendra B Nakil ...Petitioner
Versus
Deepak Kapoor ...Respondents

Mr Yashodeep Deshmukh, with Bhaghyashree Dhamapurkar, for
the Petitioner.
Mr NC Walimbe, Addl. GP, with SL Babar, AGP, for the
Respondent-State.

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**CORAM: SUMAN SHYAM &
MANJUSHA DESHPANDE, JJ.**
DATED: 8TH OCTOBER 2025.

PC:-

1. This Contempt Petition has been filed alleging wilful disobedience of the order dated 27th January 2005 passed by a Division Bench of this Court (Coram: VG Palshikar and Nishita Mhatre, JJ) in Writ Petition No. 1797 of 2001, contending that the subsequent Government Resolution dated 31st July 2013 issued by the State is in conflict with the observations made in the order dated 27th January 2005. However, the fact remains that the Petitioner herein was not a party in Writ Petition No. 1797 of 2001, nor has any relief been granted to the Petitioner. Even if the contention of the Petitioner, to the effect that the Government Resolution in violation of the Court's Order, is to be accepted, even

then the same would require adjudication of the issue on merit which, in our view, would not be permissible in a Contempt Case.

2. In view of the above and at the request of Mr Deshmukh, the learned counsel appearing for the Petitioner, made with instructions of his client, we close the Contempt Case by granting leave to the Petitioner to pursue appropriate legal remedy, as may be permissible under the law.

(MANJUSHA DESHPANDE, J.)

(SUMAN SHYAM, J.)