



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 132 OF 2025
IN
WRIT PETITION NO. 10543 OF 2023

M/s. S.R. Thorat Milk Products Pvt. Ltd. ... Petitioner
Vs.
Rajesh Kumar, Principal Secretary, Dept. of
Agriculture, Animal Husbandry, Dairy Development
and Fisheries & Ors. ... Respondents

a/w.
CONTEMPT PETITION NO. 152 OF 2025
IN
WRIT PETITION NO. 14732 OF 2023

Govind Milk and Milk Products Pvt. Ltd. ... Petitioner
Vs.
Rajesh Kumar, Principal Secretary, Dept. of
Agriculture, Animal Husbandry, Dairy Development
and Fisheries & Ors. ... Respondents

a/w.
CONTEMPT PETITION (St.) NO. 10330 OF 2025
IN
WRIT PETITION NO. 10540 OF 2023
(Not on board, Taken on board)

M/s. VRS Foods Ltd. ... Petitioner
Vs.
Rajesh Kumar, Principal Secretary, Dept. of
Agriculture, Animal Husbandry, Dairy Development
and Fisheries & Ors. ... Respondents

Mr. Kayval Prafulla Shah for the petitioner.
Ms. P.J. Gavhane, AGP for the State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATED: 8 April, 2025

P.C.

1. In these three petitions, the petitioners are alleging contempt of the judgment and order dated 4 December, 2024 passed by the co-ordinate Bench of this Court (B.P. Colabawalla, J. & Firdosh P. Pooniwalla, J.).

2. Learned counsel for the petitioners would submit that identical orders were passed by the Division Bench of this Court in Sunfresh Agro Industries Pvt. Ltd. where the Government has accepted the orders and the Government Resolution is issued agreeing to make the payment. It is also his submission that in the case of Indapur Diary, payment was made and which was the case of the petitioner who was identically situated in the present case. It is his contention that despite clear orders of this Court, in the present case, neither Government Resolution is issued nor payments are made. He, accordingly, submits that there is an intentional disobedience of the orders passed by this Court.

3. *Prima facie* we find substance in the contention as urged on behalf of the petitioner, as we have also perused the Government Resolution dated 4 April, 2024 in Sunfresh Agro Industries Pvt. Ltd. which was placed on record in Contempt Petition No.88 of 2025. In our opinion, the Government appears to be quite selective in complying with the orders of this Court, as in Indapur Diary the orders were instantly complied and payments were made wayback in the year 2023. Also in case of Sunfresh, orders were complied by issuance of Government Resolution as we noted by us hereinabove. It thus appears to us that the State Government is selective in implementing the orders passed by this Court. This

cannot be a position to be taken by any public authority much less when dealing with Court orders.

4. In this view of the matter, *prima facie* we are convinced that we need to proceed in the present contempt proceedings. However, before doing so, we give an opportunity to the respondent to place on record the short affidavit as to why further proceedings should not be initiated for non-compliance of the orders passed by this Court and subject matter of the present proceedings.

5. Stand over to **16 April. 2025 (H.O.B.)**.

6. The affidavit will clarify as to why the selective approach is being adopted by the State Government.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)