

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO.3083 OF 2025**

Kalyan Bansidharrao Renge

... Petitioner

V/s.

The State of Maharashtra & Anr

... Respondents

Mr. P.B. Gujar for Petitioner.

Smt. Prajakta P Shinde, A.P.P. for Respondents-State.

Smt. Suvarna Chorge, Jailor Gr-II, Nashik Jail, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 12th June 2025.****P.C. :**

1) As usual the State functionaries i.e. Respondent No.2 herein has not complied with the Order dated 30th April, 2025, *inter-alia* has not filed the necessary reply in the Registry before the returnable date. This is a usual feature, which we had observed in many matters.

1.1) The co-ordinate Bench in its Order dated 9th September 2024, in Contempt Petition No.78 of 2024, in para No.3, has observed as under:-

“It has become almost routine for the BMC officials not to comply with this Court’s Orders. Rarely any extension is sought and parties are forced to file Contempt Petitions to secure compliance. This is yet another case of such a genre.”

2) A judicial note has to be taken that, most of the State functionaries do not comply with the Orders within stipulated period with impunity. The leniency showed in accommodating the Advocates appearing for the State functionaries is treated as weakness of the Court.

3) Record clearly indicates that, till today the Respondent No.2 has not complied with the directions issued by Order dated 30th April, 2025.

3.1) The para No.2 of Order dated 30th April 2025 passed by our predecessors read as under :-

“Stand over to 12th June 2025. Reply affidavit be filed in the Registry before the next date. An advance copy thereof be served on the other side.”

4) At this stage, Smt. Shinde learned APP on instructions from Smt. Suvarna Chorge, Jailor Gr-II attached to Nashik Central Prison, Nashik, submitted that, for non compliance of Order dated 30th April 2025 and for extension of time to file reply, the Respondent No.2 will pay a cost of Rs. 10,000/- from his/her own pocket to the Kritkar Law Library, High Court, Mumbai, towards costs within a period of one week from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

4.1) Subject to payment of cost, the period to file reply by the Respondent No.2 as per Order dated 30th April 2025 is extended by four weeks from today.

5) Stand over to 10th July 2025.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)