



2025-2024

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CONTEMPT PETITION NO. 225 OF 2024

**(Zolba s/o Buddhuji Bandhate Vs. Prabhudas Namaji Gajbhiye, Secretary, Jivak Aushadhi
Arogya Shetki Sanshodhan Sanstha, Pimpri & Ors.)**

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. V.N. Patre, Counsel for the petitioner.
Mr. N.S. Warulkar, Counsel for respondent nos. 1 and 2.

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CORAM : ANIL L. PANSARE, J.
MARCH 6, 2025

The learned Counsel for respondent nos. 1
and 2 submits that the contempt petition is not
maintainable.

2] On 22/1/2025, following order was
passed :

*“1. The counsel for respondent Nos.
1 and 2 submits that the order of which
willful disobedience is alleged has been
challenged before this Court by filing writ
petition.*

*2. The counsel for petitioner shall
justify continuance of plea of willful
disobedience despite there being challenge
to the order before this Court.*

3. List in next week.”

3] The learned Counsel for the petitioner
submits that the writ petition challenging the impugned
order is scheduled on 10/3/2025.

4] Thus, the fact remains that the order of
which disobedience is alleged is under challenge. That

being so, the contempt petition is not maintainable. The same is accordingly dismissed.

5] At this stage, the learned Counsel for the petitioner submits that the contempt petition was filed prior to the writ petition filed by the respondents challenging the order under question.

6] May be that the contempt petition was initiated prior to the respondents' challenging the order impugned, the fact remains that the order of which contempt is alleged is under challenge, and until the same is decided, it will be difficult to blame the petitioner to have willfully disobeyed the order.

7] The contempt petition is accordingly dismissed.

8] At this stage, the learned Counsel for the petitioner makes a request to permit him to file contempt petition, if the petition filed by the respondents is dismissed.

9] Such request is uncalled for for the simple reason that to attract contempt jurisdiction, the petitioner will have to show that after dismissal of writ petition, the respondents have willfully disobeyed the order. The request is premature and, therefore, is rejected.

(ANIL L. PANSARE, J.)

Sumit