

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 520 of 2017

Shaikh Hameed S/o Shaikh Ibrahim

...**PETITIONER.**

VERSUS

D.M. Mugalikar,

Commissioner, M.C., A'bad, and another .

...**RESPONDENTS**

Mr S.S. Kazi, Advocate for petitioner.

Mrs M.A. Deshpande, Asstt. Govt. Pleader for respondent No.1

Mr J.R. Shah, Advocate for respondent No.2.

CORAM : P.B. VARALE, AND
SUNIL K. KOTWAL, JJ.

DATE : 7th December 2017

ORAL ORDER :

Mr Kazi, learned Counsel appearing for the petitioner submits that inadvertently the status of respondent No.2 is referred to as an Administrative Officer in the Municipal Corporation. He submits that on instructions, it was informed that respondent No.2 is Deputy Engineer in Municipal Corporation, Aurangabad. Learned Counsel further submits that due to inadvertence, the petitioner failed to add necessary parties in the present Contempt Petition, against whom the petitioner is having grievance of non-compliance of the Order of this Court. Thus, the Counsel for petitioner orally prays for amendment to the petition.

2. Mr Shaha, learned Counsel appearing for respondent No.2 submits that in so far as respondent No.1 is concerned, Mr Mugalikaar was discharging his duty as Commissioner of the Municipal Corporation. Mr Shaha, learned Counsel, on instructions, submits that presently, respondent No.1 Mr D.M. Mugalikaar proceeded for the official training schedule at Masuri. He submits that respondent No.2 is present in person. Mr Shaha, learned Counsel submits that at the time of passing the judgment and order of this Court dated 26th April 2016, respondent No.1 Mr Mugalikaar was not occupying position as Commissioner, Municipal Corporation, Aurangabad. He then submits that presently he has gone for training. Mr Shaha prays for some time to file affidavit on behalf of respondents No.1 and 2.

3. In view of above, two weeks time granted to file affidavit on behalf of respondents No.1 and 2.

4. The amendment be carried out within two weeks from today.

5. Post the petition for further consideration after Christmas vacation.

(SUNIL K. KOTWAL)
JUDGE.

(P.B. VARALE)
JUDGE.