

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

CONTEMPT PETITION NO. 64 OF 2015

Ashok Shivram Kale,
Age 29 years, Occu: Shikshan Sevak,
r/o. Shri Jagmitranaga Vidhyalaya Jalalpur
Parli Vaijnath,
Tq. Parli (V), Dist. Beed.

...PETITIONER.

Versus

1. The State of Maharashtra,
Secondary Education Department,
Mantralaya, Mumbai.
2. Smt.Lata Sanap
Education Officer (Secondary)
Zilla parishad, Beed.
3. President / Secretary,
Shri Jagmitranaga Shikshan Sanstha,
Jalalpur, Parli Vaijnath,
Tq. Parli (V), Dist.Beed.
4. The Head Master,
Shri Jagmitranaga Vidhyalaya
Jalalpur, Parli Vaijnath
Tq. Parli (V), Dist. Beed.

...Respondents.

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Mr. Suresh V. Mundhe, Advocate for Petitioner
Mr. K.J. Ghute Patil AGP for State

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**CORAM : S.S. SHINDE &
P.R.BORA, JJ.**

DATE : 28th April, 2015

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PER COURT:-

1. Heard. Learned AGP on written instructions,

makes a statement that, the proposal in respect of approval of the Petitioner has been decided. In that view of the matter, there is no compliance of the order within stipulated period.

2] The Supreme Court in case of **Suresh Chandra Poddar Vs. Dhani Ram and others** reported in **(2002) 1 SCC 766** held that,

"Time and again this Court has cautioned as to when and in what circumstances contempt of court jurisdiction is to be exercised. Such a power is not intended to be exercised as a matter of course. Courts should not feel unduly touchy when they are told that the orders have not been implemented forthwith. "

In that view of the matter, the contempt petition stands disposed of.

3) It is needless to observe that, if the Petitioner is aggrieved by the order passed by the Respondent, it will be open for him to take appropriate remedy as available in law.

[P.R.BORA, J.]

[S.S.SHINDE, J.]