

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 204 OF 2015
IN WP/6245/2006

PRAKASH GANPAT GADHAVE
VERSUS
BAPUSAHEB VISHNUPANT KALDATE AND OTHERS

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Advocate for Petitioner : Shri Dhage Vivek J.
Advocate for Respondents 1 & 2 : Shri Latange V.P.
AGP for Respondent 3 : Smt. Shinde V.A.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 10, 2015
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PER COURT :-

1. The respondent Nos.1 and 2 have filed an affidavit in reply through Shri Bhausaheb Vishnupant Kaldate, who is the Secretary of the concerned educational institution. At the outset, an unconditional apology has been tendered. In paragraph No.5, it is stated that the petitioner has already been absorbed on the post of Graduate Teacher. He has been transferred as an Assistant Teacher (Graduate) to Swanand Vidhyalaya, Chincholi (Kaldat), Tq. Karjat, District Ahmednagar and the petitioner has joined on 4.2.2015. Therefore, the order of this Court dated 4.4.2008 has been complied with.

2. As regards the issue of the salary to be paid to the petitioner is concerned, the statement is made that he would be paid the salary of an Assistant Teacher (Graduate) as is paid to the similarly situated persons, subject to sanction from the competent authority.

3. Shri Dhage, learned Advocate submits on instructions that in the light of the said statement and directions of this Court in paragraph No.4 and 5 of the order dated 4.4.2008 in Civil Application No.10084 of 2007, this petition may be disposed off. However, if the respondents resile from the same, the disobedience would be perpetuated and in the said situation, the petitioner would then take it up as a fresh cause of action of the disobedience of the above stated order.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

2
CONTEMPT PETITION NO. 204 OF 2015

4. In the light of the above, this contempt petition is disposed off. In the event, the petitioner is aggrieved by any subsequent event, which leads to the dis-obedience of the above stated order, he may resort to available legal remedy.

(RAVINDRA V. GHUGE, J.)

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