

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

**CONTEMPT PETITION NO.195 OF 2014
IN
WRIT PETITION NO.7103 OF 2011**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.R.R.Suryawanshi, advocate for the petitioner.
Mr.A.S.Shinde, Asstt. Govt. Pleader for the State.
Mr.M.V.Ghatge, advocate for Respondent No.4.
Mr.K.D.Mundhe, advocate for Respondent No.6
Mr.S.S.Bora, advocate for Respondent Nos.7 and 8.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 27.01.2015.

PER COURT :

1. Heard.
2. Mr.Suryawanshi, learned counsel for the petitioner submits that the Respondents have not adhered to the order passed by this Court dated 26.7.2013, passed in W.P.No.7103/2011. According to the learned counsel, the Respondents paid an amount of Rs.5,00,000/- (Rupees five lacs), whereas the petitioner is entitled for an amount of Rupees twelve lacs and odd amount at the time of filing of the Contempt Petition. Even day today salary is not paid. According to the learned counsel for petitioner, even regular salary

is not paid.

3. According to the learned counsel for the Headmaster/Principal, the petitioner is paid excess amount and the same is adjusted in the regular salary. The petitioner is paid salary as per Schedule C Part IV of the MEPS Rules.

4. According to Mr.Bora, learned counsel, the petitioner was appointed on clock hour basis, whereas according to the learned counsel for petitioner, the petitioner was appointed and worked as a full time teacher on regular basis.

5. This Court during the pendency of the Writ Petition had directed the present Respondents to deposit an amount of Rs.5,00,000/- (Rupees five lacs) and the petitioner was allowed to withdraw the same. The dispute is with regard to the quantum of the amount and the applicable pay-scale. There are rival contentions in this regard. It would be appropriate for the parties to approach the Deputy Director of Education, with regard to the fixation of the pay-scale. This Court while disposing of the Writ Petition had not directed payment according to a particular pay-scale.

6. In light of the above, the petitioner shall approach Deputy Director of Education with regard to the grievance of non-payment of the entire amount as per the order of this Court dated July 26, 2013 passed in W.P.No.7103/2011. The Deputy Director of

Education shall after hearing the Petitioner, Management and the Principal decide about the applicable pay-scale and the amount which the petitioner would be entitled to as per the order of this Court, by considering the rival contentions.

7. The Contempt Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..27.01.2015.
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