

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

**CONTEMPT PETITION NO. 343 OF 2014
IN
WRIT PETITION NO. 5887 OF 2013**

Balaji Bapurao Dumnar .. Petitioner

Versus

Ashok Athavle and Others .. Respondents

Shri M. V. Ghatge, Advocate for the Petitioner

Shri G. V. Mohekar, Advocate for the Respondent No. 1

Shri D. R. Markad h/f Shri N. K. Kakade, Advocate for the Respondent
Nos. 2 and 3

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 13TH APRIL, 2015.

PER COURT :

1) Mr. Ghadge the learned counsel for the petitioner states that, subsequently the respondents have partly complied the order passed by this Court of which contempt is alleged and the amount is released to the petitioner, however, the increment which the petitioner was entitled to has not been considered. The learned counsel for the Management submits that, the order of this Court dated 17th April, 2014 is complied.

2) Mr. Mohekar the learned counsel for the Education Officer states that, as per the proposal received from the Management

the Education Officer has sanctioned the proposal.

3) We have considered the submissions. The dispute now between the parties is in a narrow compass about the alleged increment during the period for which this Court had directed release of salary.

4) In light of that, we pass the following order -

ORDER

A] The petitioner shall file a representation about the amount towards the said increment.

B] The Management shall consider the same and if it is found that, the petitioner is entitled for increment shall send the said proposal to the Education Officer.

C] The Education Officer on receipt of the said proposal shall process the said proposal on its own merits and decide the same within two (2) months of the receipt of the said proposal and if the Education Officer finds the petitioner eligible to receive the same, shall make payment expeditiously.

5) Contempt Petition is accordingly disposed of. No costs.

[**A. I. S. CHEEMA, J.]**

[**S. V. GANGAPURWALA, J.]**

sam/April. 15