Sequeira

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 481 OF 2013.
in
WRIT PETITION NO. 7463 OF 2011

Smt.Sujata Baburao Naik .. Petitioner
Vs.
State of Maharashtra & ors. .. Respondents

Along with
CONTEMPT PETITION NO. 482 OF 2013.
in
WRIT PETITION NO. 8703 OF 2011

Baburao Ganpati Powar .. Petitioner
Vs.
State of Maharashtra & ors. .. Respondents

Mr.A.K.Bodhare i/b Mr.A.M.Joshi, for the petitioners in both the Contempt petitions.
Mr.A.I.Patel-Assistant Government Pleader, for State-respondent No.1 in both the Contempt petitions.
Mr.G.M.Savagare, for the respondent No.5 in both the Contempt petitions.

CORAM: Smt. Vasanti A. Naik &
Shri C.V.Bhadang JJ.
Friday 20 February, 2015.

P.C.:

By these Contempt petitions the petitioners seek action against the respondents for willful disobedience of the order dated 30th January 2013 in Writ petition No.7463 of 2011 and Writ petition No.8703 of 2011.

It is the case of the petitioners that despite the directions to the respondent-management to pay the salary, the management has not paid the same and despite the direction to the State authorities to take steps for the recovery of the salary payable to the petitioners by the respondent No.5, the State authorities have not taken any steps.

On hearing the learned counsel for the parties, it appears that no case is made out for proceeding against the respondents under the provisions of Contempt of Court's Act 1981. This Court has merely observed in the order dated 30 January 2013, of which the contempt is alleged that the original respondent No.5 is primarily liable to pay the salary to the petitioner. However, no direction is issued to the management to pay the same. So also, though an observation is made in the said order that the State authorities are bound to take steps for recovering the petitioners dues from the management, no direction is issued to the State authorities to take such steps. The observations in paragraph no.5 merely express the view of the Court and by the statement in the said paragraph no direction is issued to the State authorities to take action against the management.

In this view of the matter, we dismiss the Contempt petitions with no order as to costs

(C.V.Bhadang J.) (Vasanti A.Naik J.)