

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CONTEMPT PETITION NO. 126 OF 2015
IN
WRIT PETITION NO. 6902 OF 2011***

Smt.Vaishali Rajendra Suryawanshi ... Petitioner

v/s

Mr.Haroon Attar,
Education Officer (Secondary) & ors. ... Respondents

Mr.R.P.Saroj for the petitioner.

Mr.A.D. Kango, A.G.P. for the respondents.

CORAM: N.M. JAMDAR, J.

DATED : 30 OCTOBER 2015

P.C.:

The contempt alleged in this petition is of the order dated 14 August 2014 passed by this Court in Writ Petition No.6902 of 2012. Learned counsel for the Petitioner states that the following observations and directions of the Court in the said order are not complied with.

“3. Mr.Kango, learned A.G.P. on instructions from the concerned officers makes a statement that the Education Officer shall issue an appropriate corrigendum so as to

correct the date of reinstatement as 15 June 2011 in the communication dated 1 November 2012 within four weeks from today. Statement is accepted.”

2. Learned A.G.P on behalf of Respondent No.1, has tendered an affidavit of the Education Officer (Secondary), Zilla Parishad. The Education Officer has tendered an unconditional apology and has explained that there was delay on his part due to pressure of work. There does not appear to be any deliberate intention to disobey the order of the Court. The learned A.G.P has placed on record communication dated 22 September 2015 addressed by the Education Officer to the management wherein necessary clarification has been issued.

3. In view of this position, I do not think that this is a fit case to take any coercive action against Respondent No.1. It will be open to the Petitioner to pursue his remedy based on this clarification issued by the Education officer, as per law.

4. Learned counsel for the Petitioner submitted that the communication refers to a quantum to be paid to the Petitioner, however, the amount fixed therein is not correct. This cannot be the subject matter of the present contempt petition as by the order of which contempt is alleged, the only direction was to be issued to correct the date of reinstatement, which has been done.

5. The contempt petition is accordingly disposed of by accepting

the stand placed by the Education officer and the communication dated 22 September 2015.

6 No order as to costs.

(N. M. JAMDAR, J.)