

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.49/2015

IN

WRIT PETITION NO.3283/2014

Vinod Damodhar Yede

..Versus..

Smt. Nisha Jhoting and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 21.9.2015

Heard Shri Sanket Lambat advocate h/f Shri A.C. Dharmadhikari,
advocate for the petitioner and Shri N.D. Khamborkar, advocate for
respondent no.1.

The grievance of the petitioner is that the directions given by
the School Tribunal to pay 50% of the back wages have not been
complied by the Management. In response to the notice issued by this
Court, the respondents 1 and 2 have filed the reply stating that the
Management had not appointed any other employee on the post on
which the petitioner was working and as the post was approved for the
purposes of grants from the state exchequer, the Management would

be entitled for the reimbursement of the salary for the post. It is submitted that the pay bills are already sent to the office of the Education Officer and it is expected that the amount would be disbursed within three months. In paragraph no.3 of the reply it is stated as follows :

“3. It is further submitted that the society is a charitable organization and has no other source of income and there is no property of the trust but the respondents No.1 undertakes that if the salary is not paid by the Education Officer this respondents will pay the same from any other source available but will not disobey the order. The respondents further prays that to clear the arrears of salary she needs approximately 24 months time as she has no direct source of income but will arrange the said amount from the relatives.”

The learned advocate for the petitioner, on instructions, submits that the petitioner would be satisfied if the arrears of salary of the petitioner are paid as per the statement made by the respondents 1 and 2 in the paragraph no.3 as above.

Accepting the statement made on oath in paragraph no.3 as an undertaking given by the respondents 1 and 2, the petition is disposed of. In the circumstances, the parties to bear their own costs.

JUDGE