

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CONTEMPT PETITION NO.211 OF 2015

(Sangmitra d/o Manohar Bankar ..vs.. Shri Rameshchandra Narayan Raut, President Prerna Shikshan
Mandal Sindewahi, District Chandrapur)

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

Court's or Judge's orders

Shri A.S. Moon, Advocate for the petitioner,
Shri S.O. Ahmad, Advocate for the respondent.

CORAM : Z.A. HAQ, J.

DATED : 05-10-2015

The petitioner has filed this contempt petition making the grievance that the management has not reinstated the employee as per the order passed by the School Tribunal.

2. The School Tribunal allowed the appeal filed by the employee and directed reinstatement of the employee. The Tribunal directed the management to pay 50% of the arrears of salary to the employee.

3. The management challenged the order passed by the Tribunal before this Court in Writ Petition No.296/2014. This Court, by the order dated 13-04-2015, has issued Rule and has granted interim order in favour of the management on condition that the management deposits 50% of the arrears of salary as directed by the Tribunal within 8 weeks. The management had filed Civil Application No.1109/2015

praying for extension of time. This Court, by the order dated 15-06-2015, granted four weeks further time to the management to deposit the amount. The management had not deposited the amount within the extended period. According to the employee, as the management did not deposit the amount, the interim order granted by this Court on 13-04-2015 stood vacated and the management is required to reinstate the employee. As the management did not reinstate the employee, this contempt petition came to be filed on or about 05-08-2015. After the notice issued by this Court in contempt petition was served on the management, Civil Application No.1959/2015 came to be filed by the management seeking further extension of time to deposit the amount. By an order passed on 05-10-2015 (today) the management is permitted to deposit the amount within one week. In view of these facts, the contempt petition cannot be entertained at this stage. However, there is default on the part of the management in the matter. The management had not deposited the amount within stipulated time and the civil application praying for extension of time to deposit the amount also was not filed within stipulated time. In view of the default committed by the management, the management shall pay Rs.25,000/- by demand draft towards costs to the petitioner, within two weeks and produce the receipt of it on the record of the writ petition.

4. The contempt petition is dismissed in the above terms. No costs.

JUDGE

pma