

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

CONTEMPT PETITION NO. 297 OF 2015

IN

WRIT PETITION NO. 4087 OF 2011

(Ku. Rukhmini Ganpatrao Gutte .v. Shri Girish Sarode others)

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

Court's or Judge's Orders

Ms. Bhavna Kasare, Advocate for the petitioner.
Shri M.K. Pathan, AGP for respondent No.1.
Shri C.M. Samarth, Advocate for respondent Nos.2 and 3.

CORAM : SMT. VASANTIA. NAIK AND
PRASANNA B. VARALE, JJ.
26TH NOVEMBER, 2015.

Heard.

By this contempt petition, the petitioner has sought action against the respondents for willful disobedience of the terms of the settlement dated 21.07.2014.

According to the petitioner, the respondent Nos.2 and 3 had agreed to submit the pay bills of the petitioner to the respondent No.1 within a period of one month.

The learned Counsel for the respondents state that the terms of the settlement stand complied, inasmuch as the bills of the petitioner were tendered to the respondent No.1 and the respondent No.1 has also paid the arrears of salary to the petitioner.

The learned Counsel for the petitioner now states that though an amount more than Rs.13,00,000/- (rupees thirteen lakhs) is payable to the petitioner, the respondent Nos.2 and 3 have sent the salary bills amounting to nearly Rs.9,00,000/- (rupees nine lakhs) and the respondent No.1 has disbursed lesser amount than the amount to which the petitioner is entitled.

It would not be possible for this Court to consider the issue in regard to the amount i.e. liable to be paid to the petitioner towards the arrears of salary. Since substantial amount has been paid to the petitioner towards the arrears of salary, the contempt

petition is liable to be disposed of.

In the circumstances of the case, we dispose of the contempt petition with no order as to costs. The petitioner is free to avail the appropriate remedy for seeking the alleged difference in the arrears of salary.

JUDGE

JUDGE

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