

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

Contempt Petition No.227 of 2014 in
Writ Petition No.6068 of 2013 (D)

(Dr.Bhaskar Mayaram Barayya .vs. Saurabh R. Munghate, President of Shri Saibaba
Gramin Vikas Sanstha)

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

Court's or Judge's orders

CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.

DATE : 14th JANUARY, 2015.

Heard Mr.Anand Parchure, learned Counsel
for the petitioners and Mr.N.B.Kalwaghe, learned
Counsel for the respondent.

The reply-affidavit tendered by
Mr.N.B.Kalwaghe, learned Counsel for the respondent is
taken on record. By order dt.7.7.2014 passed in Writ
Petition No.6068 of 2013, the Management was called
upon to pay 50 % of the amount as per the
recommendations of 6th Pay Commission within a period
of six weeks. That amount of difference of salary is
deposited by the respondents on 13.1.2015 with the
Grievance Committee.

Mr.Anand Parchure, learned Counsel for the
petitioner submits that the deposit is beyond the period
of six months and hence, there is contempt. He also

submits that the Grievance Committee was supposed to look into the grievance within a period of three months and that period has already expired.

Mr.N.B.Kalwaghe, learned Counsel for the respondent submits that the Management is not receiving any grant-in-aid and as the number of students is already less, the Management found it difficult to collect the amount and to deposit it.

As the amount is deposited and we do not find any mala fides, we are not inclined to intervene in the matter atleast at this stage. However, prejudice caused to the petitioner is apparent. The Grievance Committee was supposed to look into the grievance within three months and thereafter, the recommendations of the Grievance Committee were to be looked into by the Management Council within six months.

The Grievance Committee perhaps did not look into the controversy as earlier part of the order namely deposit was not complied with.

In this situation, in the interest of justice, we direct the said Grievance Committee (not party before us) to consider the grievance and to pass suitable order within next two months. The Management Council shall thereafter consider representation of the Grievance Committee and take suitable decision within next two months.

With these directions and keeping the

contentions of the petitioner open, we dispose of the Contempt Petition. No costs.

JUDGE

JUDGE

jaiswal