

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

CONTEMPT PETITION NO.235/2014

IN

WRIT PETITION NO.2589/2013 (D)

Gopal s/o Sheshrao Wankhade

...Versus...

Shri Kishore Ruprao Ingole and others

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

Court's or Judge's orders

Shri P.H. Gulhane, Advocate for petitioner
Shri A.J. Kadu, Advocate for respondent nos.1 to 3
Mrs. M.N. Hiwase, AGP for respondent no.4

CORAM : Z.A. HAQ, J.

DATE : 03.08.2015

Heard Shri P.H. Gulhane, Advocate for the petitioner,
Shri A.J. Kadu, Advocate for the respondent nos.1 to 3 and
Mrs. M.N. Hiwase, Assistant Government Pleader for the
respondent no.4.

The grievance of the petitioner is that the
respondents are liable for action under the Contempt of Courts
Act, 1971 as they are wilfully disobeying the order passed by this
Court in Writ Petition No.2589/2013 on 28.2.2014.

The above referred writ petition came to be disposed
by this Court on the compromise arrived at between the
petitioner and the respondent – Management. The relevant
clause (ii) (c) of the compromise as reproduced in the order
passed by this Court shows that the petitioner and the respondent

– Management agreed that the respondent – Management would not be liable to pay any salary/back wages etc. to the petitioner unless grants are sanctioned by the Education Officer. The respondent – Management has taken all other steps which were required to be taken by it regarding the forwarding of the bills to the office of the Education Officer. The learned Advocate for the petitioner has not been able to point out that the Education Officer was either signatory to the compromise or there is any wilful disobedience of any directions given by this Court which makes him liable for action under the Contempt of Courts Act.

The petitioner has not placed any material on the record to demonstrate breach of any directions which necessitates the exercise of jurisdiction under the Contempt of Courts Act, 1971. The show-cause-notice issued on 24.11.2014 is dropped. The contempt petition is dismissed. The petitioner would be at liberty to avail appropriate remedy according to law for redressal of his grievance.

JUDGE

Wadkar