

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 134 OF 2016

IN

WRIT PETITION NO. 6159 OF 2015

**(The Secretary, Mahatma Phule Gramin Shikshan Prasarak
Mandal, Nanded and two others Vs. The State of
Maharashtra and others)**

Mr. V.S. Panpatte, Advocate for the Petitioners

Mr. V.H. Dighe, A.G.P. for the respondents

**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : 6th JUNE, 2016

PER COURT :

1. Heard learned counsel for the petitioners and learned A.G.P. appearing for the respondents.

2. In pursuance of the notice issued to respondent No.3, respondent No. 3 has filed affidavit-in-reply. It is not in dispute that after issuance of the notice to respondent No.3, respondent No. 3 has taken the decision on the proposal of the petitioners for grant of approval to the appointment of petitioner No. 3 as a peon.

3. The learned counsel for the petitioners submits that though respondent No. 3 was directed to take

decision on the proposal of the petitioners within a period of four months from the date of passing of the order by this Court, the decision has been taken belatedly after lapse of six months' period.

4. Upon perusal of the affidavit-in-reply filed by respondent No.3, we find that respondent No.3 has tendered unconditional apology for the delay caused in compliance of this Court's order and for the disobedience alleged in this petition. In that view of the matter and keeping in view the observations of the Supreme Court in case of "**Suresh Chandra Poddar Vs. Dhani Ram and others**¹", this contempt petition stands disposed of. Needless to observe that the petitioners can take exception to the order passed by respondent No. 3 – the Education Officer disapproving the appointment of petitioner No. 3 as a Peon.

[**SANGITRAO S. PATIL**]
JUDGE

[**S.S. SHINDE**]
JUDGE

npj/cp134-2016

1 (2002) 1 SCC 766