

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 343 OF 2015
IN WP/3416/2014**

**GAJANAN ASHOK SURWADE
VERSUS
STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Petitioner : Ms.Mahajan Surekha P

AGP for Respondent 1 : Shri S.W.Munde.

Advocate for Respondent 2 : Shri S.R.Barlinge.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 27th July, 2016

Per Court:

1 This Court (Coram : N.W.Sambre, J.) by order dated 11.03.2015 had considered the rival contentions of the parties and while setting aside the oral termination dated 14.06.2010, has issued the following directions in paragraphs 8 and 9 :-

“8. *In view thereof, the order passed by learned School Tribunal, in my opinion, is not sustainable and is liable to be quashed and set aside. The oral termination of the Petitioner dated 14.06.2010, as such, is set aside by setting aside the order of School Tribunal passed in Appeal No.29 of 2010. The respondent-management shall take steps in accordance with the narration made by it in paragraph 3 of its affidavit mentioned herein above and the Education Officer shall also require to consider the said proposal forwarded by the Management considering the claim of the present*

- petitioner as holding appropriate qualification from trained graduate teacher category.*
9. *So far as the entitlement of the petitioner of placement in the said category and monetary benefits thereof, shall also to be looked into by the Education Officer, who shall pass reasoned order, if required after hearing the petitioner and Management. The writ petition stands allowed in above terms.”*

2 This Contempt Petition was filed on 08.05.2015. It is informed that pursuant to the filing of this petition, the Petitioner has joined duties on 15.06.2015 and is regularly working.

3 It appears from the order passed by this Court that the Education Officer was to deal with the proposal forwarded by the Management and consider the claim of the Petitioner as to holding of appropriate qualification for the trained graduate teacher category. This issue is yet to be decided since the Petitioner is now working as a Shikshan Sevak. So also, the issue of entitlement of the Petitioner, upon placement in the category and monetary benefits, obviously consequential thereto, is to be looked into by the Education Officer, who is directed to pass a reasoned order.

4 In the light of the above, considering that the proposal has been forwarded by the Management, the learned AGP submits that the

Education Officer shall look into the said proposal and shall scrupulously comply with the directions of this Court. It is further stated that the present Education Officer (Secondary), Zilla Parishad, Jalgaon, Shri Devidas Pandit Mahajan, shall decide the above said issues urgently and preferably within a period of SIX WEEKS from today. It is further stated that in the event the said Education Officer requires any further assistance from either of the parties, he will accordingly seek such assistance and decide the claim of the Petitioner, after hearing the Petitioner and the Management on merits.

5 In the light of the above, as the statement made by the learned AGP, on instructions from Shri Devidas Pandit Mahajan, Education Officer (Secondary), Zilla Parishad, Jalgaon has been recorded, this Contempt Petition is disposed of.

kps

(RAVINDRA V. GHUGE, J.)