

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CONTEMPT PETITION NO.738 OF 2015

IN

WP/5060/2015

ATMA EMPLOYEES WELFARE ASSOCIATION,
AURANGABAD

VERSUS

THE UNION OF INDIA AND OTHERS

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Advocate for Petitioner : Mr.Joshi Sujeet D
AGP for Respondents/State: Mr.S.D. Kaldate.

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: JANUARY 15, 2016

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This contempt petition was heard on 22nd December, 2015 and notices were issued to the respondents, which were made returnable on 4th January, 2016. The learned AGP appearing for the State sought adjournment so as to file reply of the respondents. Learned AGP has tendered across the Bar affidavit-in-reply on behalf of respondent No.4 stating therein that, respondent No.4 has issued letter on 26th November, 2015 discontinuing the services of the members of the Association. However, after realizing the mistake, the respondent has withdrawn the said letter by an order dated 11th January, 2016.

It is stated in para 5 of the affidavit-in-reply that, the deponent has no intention or disrespect the order passed by the High Court. However, the said mistake has been committed inadvertently and the same has been corrected by the deponent and the members of the Association have been reinstated/restored on their respective posts with continuity of their services. Respondent No.4 has tendered unconditional apology.

2 Learned Counsel for the petitioner submits that, though the statement is made in the affidavit-in-reply that all the members of the association have been reinstated/restored, out of 33, only 11 members are allowed to join and remaining 22 are not yet reinstated/restored. The learned AGP, on instructions of respondent No.4 who is present in Court, makes a statement that, in case, the remaining members of the petitioner – association are not allowed to join, on or before 20th January, 2016, steps will be taken to allow them to join the posts earlier held by them.

3 In that view of the matter and in view of the fact that, unconditional apology is tendered by the respondent No.4, notice stands discharged. Contempt petition stands disposed of.

(P.R. BORA, J)

(S.S. SHINDE, J)