

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

**CONTEMPT PETITION NO. 52 OF 2016
IN WP/3093/2007**

**RUQAYYA MOHD. YUSUF ANSARI
VERSUS
NANDKUMAR AND OTHERS**

...

Advocate for Petitioner : Shri Chaudhari Md. Mujeebuddin.

AGP for Respondents 1 and 2 : Shri D.V.Tele.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 27th January, 2016

Per Court:

1 Shri Chaudhari, learned Advocate for the Petitioner, submits that Appeal No.16/2010 has been decided by the School Tribunal, Aurangabad by its judgment dated 26.06.2015. Thereafter, several notices were issued to the Respondent/ Management for implementation of the said judgment. Since the Management turned a blind eye, the Petitioner is constrained to file this Contempt Petition.

2 Section 13 of the MEPS Act, 1977 was indicated to Shri Chaudhari. He has also gone through the legislative intent behind introduction of Section 13 which was introduced by way of an amendment

by the Legislature by the Maharashtra Act No.30 of 1987.

3 Since an efficacious and expeditious remedy for punishment as against failure to comply with the Tribunal's directions is made available, this Contempt Petition need not be entertained.

4 In the light of the above, Shri Chaudhari submits that the Petitioner should be permitted to take recourse to Section 13 of the MEPS Act, 1977 so as to ensure that the judgment of the School Tribunal dated 26.06.2015 is implemented by the Respondents/ Management viz. Magan Shah Education Society, Borgaon (Sarwani), Taluka Sillod, District Aurangabad and Inamul-ulum Urdu High School, Borgaon (Sarwani), Taluka Sillod, District Aurangabad.

5 This Contempt Petition is, therefore, disposed of by accepting the request of Shri Chaudhari. The Petitioner is at liberty to take recourse to any of such remedies as are prescribed under the law and more particularly under the MEPS Act, 1977 with regard to the implementation and execution of the judgment of the School Tribunal dated 26.06.2015.