

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

CONTEMPT PETITION NO.18/2016 IN CONTEMPT PETITION NO.76/2014 IN
WRIT PETITION NO.4241/2012 (P) AND WRIT PETITION NO.1962/2012 (P)

Ku.Mala Tameshwar Gawande now Smt. Mala Pramod Wankhede.vs.State of Maharashtra
through Secretary, Department of Higher Education, Mantralaya, Mumbai 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 A. D. Mohogaonkar, Advocate for petitioner.
Shri N.R.Rode, Assistant Government Pleader for respondent nos. 1 to 3
Shir Abhay Sambre, Advocate for respondent nos. 4 and 5.

CORAM : SMT. VASANTI A. NAIK AND
V. M. DESHPANDE, JJ.

DATE : APRIL 27, 2016

By this contempt petition, the petitioner seeks an action against the respondents under the provisions of the Contempt of Courts Act for willful disobedience of the order dated 05.01.2015 in Contempt Petition No.76/2014.

It is stated on behalf of the petitioner that though the management was directed to re-submit a proposal after removing the lacunae within a period of two weeks and the education authorities were directed to consider the proposal on its own merit and decide the same within a period of six weeks, the respondents have not obeyed the orders. It is stated that the management has not submitted the roster as per the directions and the Joint Director of Vocational Education and Training has also not considered the roster point of the year 2007.

On hearing the learned counsel for the parties, we find that there are no specific directions against the management to submit the roster to the Joint Director of Vocational Education and Training in the contempt petition. The management was only required to send the proposal of the petitioner for grant of

approval after removing the lacunae. It is the case of the management that the proposal was sent to the Joint Director of Vocational Education and Training, in accordance with the directions in the contempt petition. We find that the Joint director of Vocational Education and Training has considered the proposal of the petitioner on merits and has, by an order dated 04.04.2016, rejected the proposal of the petitioner by a reasoned order. If the petitioner is aggrieved by the order of rejection of the proposal, the petitioner has other remedies. In the circumstances of the case, it would not be possible to proceed with the contempt petition any longer.

Hence, the contempt is disposed of with no order as to costs.

JUDGE

JUDGE