

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

CONTEMPT PETITION NO. 170 OF 2015

IN

WRIT PETITION NO. 2657 OF 2012 (D)

Manoj Chunnilal Mankar and another

-vs-

Shri D.D.Shinde, Chief Executive Officer, Z.P.Gondia and others

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

Court's or Judge's Orders.

Mr. R.A.Gupte, counsel for the petitioners.
Mr. H.N.Verma, counsel for the respondents.

CORAM : SMT. VASANTI A NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 22.12.2016.

By this contempt petition, the petitioner seeks action against the respondents for willful disobedience of the direction in the judgment dated 29/11/2013 in Writ Petition No.2657 of 2012.

According to the petitioners, though the respondents were directed to review all the appointments in the Zilla Parishad in the light of the observations made in the judgment, in respect of cases of re-appointment to group-C or group-III posts made on compassionate ground within six months, the respondents have not taken any action.

Shri Verma, the learned counsel for the respondent No.3, states that the Zilla Parishad had reviewed the appointments in terms of the directions in the judgment dated 29/11/2013 and the action taken reports were placed before this court in terms of the order of which the contempt is alleged. It is stated that no directions were issued against the respondents to make a reference of the report to the State Government. It is stated that it is observed in the judgment that the Zilla Parishad shall not make reference to the State Government if it is not necessary. It is stated that if the petitioners are aggrieved by the reports, the petitioners have other remedies, but the petitioners

cannot file a contempt petition when the order of which the contempt is alleged, is duly complied with.

We find that the petitioners could not have filed this contempt petition after the action taken reports were submitted by the respondents in this court. In terms of the direction issued by the judgment of which the contempt is alleged, there was no necessity for the respondents to refer the matter to the State Government and this court had made it clear that no reference should be made to the State Government if the same is not necessary. It is rightly stated on behalf of the respondents that if the petitioners are aggrieved by the action taken reports, the petitioners have other remedies, but the petitioners cannot file a contempt petition, when the directions of this court are duly followed.

In the circumstances of the case, we dismiss the contempt petition with no order as to costs.

JUDGE

JUDGE

KHUNTE