

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

CONTEMPT PETITION NO.157/2016

IN

WRIT PETITION NO.6930/2014 (D)

Prof. Poonam s/o Yadavrao Yesambare

...Versus...

Mr. Babasaheb Deshmukh, Assistant Commissioner, Social Welfare Department,
Wardha, Tah. and District Wardha

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

Court's or Judge's orders

Shri I.G. Meshram, Advocate for petitioner
Shri A.A. Madiwale, AGP for respondent

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

DATE : 25.07.2016

By this contempt petition, the petitioner seeks action against the concerned respondent for wilful disobedience of the order, dated 26.8.2015 in Writ Petition No.6930/2014.

According to the petitioner, the respondents were directed to evaluate the performance of the petitioner for the purpose of conferment of selection grade and senior grade within a period of three months but the said exercise was not completed within a period of three months. It is stated that after the contempt petition is filed, the action is taken by the respondents and by an order, dated 4.7.2016, the pay scale is fixed.

The learned Assistant Government Pleader for the respondent states that it was necessary for the Committee to first evaluate the performance of the petitioner for the purpose of conferment of the selection grade and senior grade and hence, the exercise could not be completed within a period of three months. It is stated that the delay in completing the exercise is not intentional but is *bona fide*. It is stated that the order stands complied with during the pendency of the writ petition.

In view of the statements recorded herein above, we do not find that it would be necessary to proceed with the contempt petition any longer. We find that the pay scale of the petitioner is fixed by the order, dated 4.7.2016 and though there is some delay in taking the action, the delay is not intentional.

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

JUDGE

JUDGE

Wadkar

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of original signed order.

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