

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

C.A.W. NO.1161/2015
IN
WRIT PETITION NO.5405/2006

Executive Engineer, P.W.D., Wardha
..Versus..
M.D. Sedam

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATE : 9.6.2016

Heard Shri S.A. Kalbande, Advocate for the
respondent - employee and Shri A.D. Sonak, A.G.P. for the
petitioner - employer.

The grievance of the respondent is that inspite of order
passed by this Court on 15th September, 2009 directing that relief
under Section 17-B of the Industrial Disputes Act shall continue till
the disposal of the petition or the normal date on which the
respondent attains the age of superannuation, the petitioner has not
deposited the amount of wages receivable by the respondent for
the period from 1st February, 2014 till 30th June, 2015.

The learned A.G.P. has submitted that the respondent

attained the age of superannuation on 30th April, 2015.

Be that as it may, there is no explanation for not depositing the amount from 1st February, 2014 onwards. This application is filed after serving the copy in the office of the Government Pleader on 19th June, 2015. The petitioner has not filed reply to this application.

Considering the callousness on the part of the petitioner, the following order is passed:

The petitioner shall deposit the amount of wages receivable by the respondent for the period from 1st February, 2014 till 30th June, 2015 with the Registry of this Court till 27th June, 2016.

I find that the petitioner is wilfully disobeying the order passed by this Court on 15th September, 2009.

Issue show cause notice to the petitioner as to why action under the provisions of Contempt of Courts Act, 1971 should not be initiated against the petitioner.

If the amount is not deposited till 27th June, 2016 the Executive Engineer, Public Works Division, Wardha shall remain present before this Court on 1st July, 2016 at 10.30 a.m.

The concerned official, who is responsible to deposit the amount and to see that the order passed by this Court is

implemented, shall deposit costs of Rs.5,000/- (Rs. Five Thousand Only) for the callousness on his part.

List the petition for further consideration on **1st July, 2016**.

An authenticated copy of this order be given to the learned
A.G.P.

JUDGE

Tambaskar.