

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

CONTEMPT PETITION NO. 218/15 IN WRIT PETITION NO. 1852 OF 2014.

(Aruna Ramesh Tathe .vs. Shri Siddharth Gaikwad, Social Welfare Officer)

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

Mr. P. Gode, Advocate for petitioner,
Mr. A.M. Balpande, A.G.P. for respondent no.1.
Mr. V.A. Dhabe, Advocate for intervenor.

CORAM : B.R. GAVAI & P.N. DESHMUKH, JJ.

DATED : JANUARY 19, 2016.

The petitioners have approached this Court contending therein that the respondents have committed the contempt of the order passed by this Court dated 10.10.2014. The perusal of the order dated 10.10.2014 would reveal that the learned A.G.P. had placed on record a communication dated 9.10.2014 wherein it was stated that the petitioner no.1 would be paid salary subject to the decision of Writ Petition No. 3461/14 pending before the Aurangabad Bench and after verification that the petitioner no.1 was performing her duty.

The perusal of the communication dated 9.10.2014 would reveal that the Government has decided to pay the salary from 1.4.2014. It further reveals that it was, therefore, decided that subject to the final outcome of the Writ Petition No. 3461/14, the salaries would be paid to the petitioner from 1.4.2014 after confirmation that she was actually rendering service.

The petitioners do not dispute that they are receiving

salary from 1.4.2014. The contempt is alleged that the arrears of the salary prior to that period are not paid.

We find that the other issues with regard to arrears, etc. can be considered only after final decision in Writ Petition No. 3461/14. Since the statement which was made before the Court on 10.10.2014 is already complied with, we do not find that any case is made out for invoking contempt jurisdiction.

The Contempt Petition is, therefore, without substance and as such dismissed.

Judge

Judge

J.