

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.399/2016 IN WRIT PETITION NO. 4876/2016 (D)
(AMOL MANIK GOTE & OTHERS VERSUS STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri R.S. Kurekar, counsel for the petitioners.

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

DATE : DECEMBER 16, 2016.

By this contempt petition, the petitioners seek an action against the respondents for willful disobedience of the order, dated 24.11.2016.

According to the petitioners, since the respondents had stopped paying the salary to the petitioners in pursuance of the order dated 16.08.2016, the petitioners had challenged the said order, dated 16.08.2016 in Writ Petition No.4876 of 2016. It is stated that this Court has quashed the order, dated 16.08.2016 in the said writ petition. It is stated that despite the fact that the order is quashed, the respondents are not paying the salary to the petitioners.

The petitioners could not have filed the contempt petition in the absence of any direction against the respondents to pay the salary to the petitioners. We had only allowed the petition by quashing the order, dated 16.08.2016 and had permitted the respondents to take appropriate steps against the petitioners. If salary is not paid to the petitioners despite quashing of the order, dated 16.08.2016, the petitioners have other remedy. In stead of availing the said remedy, the petitioners have filed the contempt petition.

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

JUDGE

JUDGE

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