

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 204 OF 2017
IN WP/1935/2011

CHABUBAI BABANRAO BALATKAR
VERSUS
SACHIN JAGTAP AND OTHERS

...
Advocate for Petitioner : Dr. Swapnil D. Tawshikar
Advocate for respondent no. 1 : Mr. Rajdeep D. Raut
Advocate for Respondents no. 2 and 3 : Mr. S.R. Choukidar
...

CORAM : SUNIL P. DESHMUKH &
SANGITRAO S. PATIL, JJ.
DATE : 21-11-2017

ORDER :

1. With reference to the orders passed by this Court, learned counsel appearing for respondents no. 2 and 3 has purportedly placed on record draft of petitioner's appointment order, further undertaking that the order would be immediately issued to the petitioner.

2. Learned counsel for respondents no. 2 and 3 has referred to that since there is ban on appointments under Government Resolution dated 12-02-2015, and the post where the contempt petitioner is to be accommodated, has fallen vacant on 14-02-2015, it had been difficult for him to issue appointment order to contempt petitioner.

3. Considering the events as they have occurred and since appointment is being made pursuant to orders passed by this Court from time to time in Writ Petition no. 1935 of 2011, clause 2 of Government Resolution dated 12-02-2015 being referred to by respondents would not form an impediment for issuance of appointment order to contempt petitioner.

4. The Education Officer, as such, may have to consider that appointment of contempt petitioner would not be governed by clause 2 of Government Resolution dated 12-02-2015 referred above, having regard to antecedents of the matter. He thus will have to process the appointment in accordance with law and orders of this Court without getting overwhelmed by Government Resolution dated 12-02-2015.

5. In view of aforesaid, Contempt Petition is disposed of.

[SANGITRAO S. PATIL]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

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