

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

BENCH AT AURANGABAD.

**CONTEMPT PETITION NO.565 OF 2017
IN
WRIT PETITION NO.1026 OF 2016**

Bhausahab S/o Vasantrao
Deshmukh ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.A.D.Pawar, advocate for the petitioner.
Mr.S.W.Munde, A.G.P. for the State.

...

**CORAM : S.V.GANGAPURWALA AND
S.M.GAVHANE, JJ.**

Date : 09.10.2017.

PER COURT :

1. According to Mr.Pawar, learned counsel,
the Respondent authority did not consider the
order of this Court in its correct perspective.
Without considering the strength of students on
the basis of non availability of the posts as per
last year has rejected the proposal.

2. In a contempt petition the validity of the order can not be a subject matter of an issue. The authority in its order has referred to the order passed by this Court and has come to a conclusion of the post not being available. If that order is erroneous, the petitioner has a remedy available to him.

3. In light of the above, we are not taking cognizance of any contempt as alleged. The petitioner is at liberty to challenge the said order in appropriate proceedings.

4. The Contempt Petition stands disposed of. No costs.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

