

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Contempt Petition No. 0746 of 2016
(In Writ Petition No. 08749 of 2015)

District : Aurangabad

Shaikh Hafiz s/o. Shaikh Habeb,
Age : 44 years,
Occupation : Service,
R/o. House No. A/6-61,
Aasifiya Colony, Aurangabad,
Taluka & District Aurangabad.

.. Petitioner
(Respondent no.01
in WP)

versus

1. Dr. Khan Qutubunissa w/o.
Mahemood-ur-Raheman,
Age : 61 years,
Occupation : Secretary of
Talat Shikshan Mandal,
Aurangabad,
Taluka & Dist. Aurangabad,
R/o. C/o. Talat High School,
Baroodnala, Juna Bazar,
Aurangabad,
Taluka & Dist. Aurangabad.
2. Shri Mohd. Atifuddin
s/o. Mohd. Minhajuddin,
Age : 44 years,
Occupation : Service as
Headmaster of Talat Urdu
Primary School,
Shahanoorwadi,
Dargah Road, Aurangabad,
Taluka & Dist. Aurangabad.
3. Abdul Raheem Mughal,
Age : 57 years,
Occupation : Service as
Education Officer (Primary),
Zilla Parishad, Aurangabad,
Taluka & Dist. Aurangabad.

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| <p>4. Smt. Iffat Fateema
d/o. Naeemoddin Shaikh,
Age : 37 years,
Occupation : Service,
R/o. Lota Karanja,
Aurangabad,
Taluka & Dist. Aurangabad.</p> | <p>.. Respondents
(Nos.01 & 02 -
Original petitioners
&
Nos.03 & 04 -
Original respondent
nos.02 and 03)</p> |
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Mr. V.J. Dhage, Advocate, for the petitioner.

*Mr. A.M. Karad, Advocate, for respondent nos.01
and 02.*

Mr. D.K. Rajput, Advocate, for respondent no.03.

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CORAM : RAVINDRA V. GHUGE, J.

DATE : 08TH MARCH 2017

ORAL ORDER :

01. Respondent no.03 - Education Officer (Primary) has filed an affidavit in reply dated 07.03.2017. Respondent no.03 is also present in the Court. An unconditional apology has been tendered for the delay caused in assisting this Court. Learned Advocate for respondent no.03 points out from page 05 of the affidavit that an order dated 04.03.2017 has been passed and necessary approval in pursuance to the directions of this Court has been granted.

02. Shri Dhage, learned Advocate for the petitioner, submits that considering the said order dated 04.03.2017, the management will have to forward

the monthly salary bills of the petitioner from 11.01.2016 in the light of the approval granted and the Education Officer / competent authority will have to clear the said bills for releasing the salary of the petitioner.

03. Shri Karad, learned Advocate appearing on behalf of respondent nos.01 and 02 - management, on instructions, submits that since the approval has been recently granted just about 04 days ago, the management would prepare the salary bills of the petitioner within a period of 03 (three) weeks and would forward the same to the Education Officer for action at its end.

04. In the light of the above, Shri Dhage submits that some time frame may be imposed on the Education Officer for taking a decision as the petitioner is without monthly salary for the past about 13 months. He submits that this petition can be accordingly disposed of.

05. In the light of the above and upon recording the statements made by respondent no.03 and the management, this **petition is disposed of**. Respondent no.03 - Education Officer (Primary), without putting forth any excuse, shall sanction the bills received from the management expeditiously and within 02 (two) weeks therefrom, so as to ensure that the payment of salary is disbursed forthwith. If these directions are not complied with, the concerned Education

Officer, who will be responsible for passing these orders after receiving the bills from the management, shall be deemed to have committed aggravated contempt.

06. An amount of Rs. 10,000/- has been deposited in this Court by respondent no.03 under the orders of this Court. Shri Dhage fairly states that the said amount be donated to the Advocates' Association of Bombay High Court, at Aurangabad. Considering the same, the Registry is directed to transmit the amount of Rs. 10,000/- to the Advocates' Association of Bombay High Court, at Aurangabad.

(Ravindra V. Ghuge)
JUDGE

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