

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

CONTEMPT PETITION NO.92 OF 2017

RAJU S/O YASHWANT GAJBHIV.
-VERSUS-
HEAD MASTER AND SECRETARY, SCHOOL COMMITTEE,
SAINT XAVIERS HIGH SCHOOL.

...
Shri M.S.Indani, Advocate for the Petitioner.

...
CORAM: RAVINDRA V. GHUGE, J.

DATE :- 02nd February, 2017

Per Court:

1 Not on Board. Mentioned. Taken on the Production Board.

2 The Petitioner alleges that the Respondents have not complied with the judgment of the School Tribunal dated 20.10.2016 directing his reinstatement in service with continuity and consequential benefits. The back wages have been refused.

3 The Petitioner submits that the order of the Tribunal can be brought before this Court under the Contempt of Courts Act, 1971.

4 It is trite that the Tribunals are not the Courts. It is equally

settled that when the provisions under the concerned Act enable the litigant to seek execution of the order passed by the Tribunal or Court, the execution proceedings have to be resorted to and the contempt proceedings cannot be entertained as execution proceedings.

5 Considering the above, this Contempt Petition is disposed of with liberty to the Petitioner to avail of the remedy under Section 13 of the MEPS Act, 1977.

kps

(RAVINDRA V. GHUGE, J.)