

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CONTEMPT PETITION NO. 70 OF 2014****IN****WRIT PETITION NO. 5439 OF 2005**

Maharashtra Federation of Principal's
Association of Non-Government Colleges ...Petitioner

vs.

State of Maharashtra and Ors. ...Respondents

Mr. Venkatesh Shastry for the Petitioner

Mr. Asif Patel, AGP for the Respondent State.

**CORAM : SHANTANU KEMKAR &
M.S. SONAK, JJ.
JULY 20, 2017**

P.C.:

Through this contempt petition, the petitioner has alleged non compliance of the order dated 8.12.2005 passed by the Division Bench of this Court in WP No 5439 of 2005.

2. We find that in the earlier Contempt Petition filed at the instance of the petitioner, the respondent State has given an undertaking that they will comply with the order dated 8.12.2005 within a period of twelve weeks from 25.3.2011. The said time was extended from time to time.

3. In this petition, the respondents have filed affidavit in reply and additional affidavit in reply. As per the stand taken by the respondent State, the amount as per the calculation made by the State Authorities have been paid to all the members of the petitioner

federation.

4. Learned counsel for the petitioner however, disputes the said position.

5. When we have asked about the details of the payment which have been received and the outstanding amount of the members of the petitioner federation, learned counsel for the petitioner submits that the details are not available.

6. Be that as it may, we are of the view that since the stand of the State is that the order has been substantially complied with, as against the stand of the petitioner that it has not been completely complied with, we are inclined to dispose of this petition with liberty to the members of the petitioner federation to file individual representation before the competent authority of their respective region in regard to non payment/balance amount, if any, to be still received by them from the State.

7. On receipt of such representation, the competent authority of the respondent shall consider the same and shall take appropriate decision in accordance with law as expeditiously as possible but not latter than four months from the date of receipt of such representation. In case any amount is found to be payable, the same be paid within the aforesaid period of four months.

8. With the aforesaid observations and directions, this contempt petition is disposed of. In case, the individual members of the petitioner federation feels aggrieved by the decision as may be taken by the State authority, it will be open for such individual member to

approach individually or through the petitioner before the appropriate forum in accordance with law.

9. The Petition is disposed of.

(M.S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)