

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CONTEMPT PETITION NO.21/2017
IN WRIT PETITION NO. 6272/2016.

Satchidananda Chintamani Behera

-VERSUS-

Dr. Ajay Deshmukh

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : MARCH 20, 2017.

Shri A.P. Raghute, learned Counsel for the
petitioner and Shri S.Y. Deopujari, learned Counsel for
respondent.

2. By an exparte innocuous order respondent
University was expected to complete the departmental
enquiry expeditiously.

3. Grievance in contempt petition is, said
enquiry has not been completed so far and subsistence
allowance or salary also has not been paid.

4. Learned counsel for respondent relies upon
reply affidavit. He states that prosecution witnesses in
departmental enquiry are already examined and after

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defence closes its case, enquiry will be concluded. He submits that within two months from today, enquiry will be over.

5. As far as payment of subsistence allowance is concerned, he makes a statement that same has already been paid till January, 2017.

6. Grievance of learned counsel for petitioner is the subsistence allowance should have been paid as per law i.e. after increasing it to 75% on expiry of initial period of 6 months.

7. Looking to the nature of orders passed by this Court, we cannot hold respondent guilty of contempt if they have refused to increase subsistence allowance.

8. In this situation, as no case is made out for proceeding in contempt, without observing anything on merits of the contentions raised by learned counsel and keeping it open for due consideration at appropriate juncture, we dispose of the Contempt Petition. No costs.

JUDGE

JUDGE

Rgd.