

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

CONTEMPT PETITION NO. 65 OF 2017
IN
WRIT PETITION NO. 6735 OF 2016

(Ku. Pratibha Raibhan Gavai vs. The Deputy Director of Education & Ors.)

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 &
ROHIT B. DEO, JJ.
JULY 25, 2017.**

Heard Shri S.P. Palshikar, learned counsel for the petitioner, Shri P.S. Tembhare, learned AGP for respondent Nos. 1 & 2 and Shri A.R. Deshpande, learned counsel for respondent No. 3.

2. The petitioner on the one hand points out disobedience to the order of this Court dated 23.01.2017 in Writ Petition No. 6735 of 2016 and on the other hand submits that as the petitioner has not been declared surplus and there is no approval, the petitioner cannot be treated as Head Master for the period from 07.06.2016 to 31.01.2017.

3. It is not in dispute that in a vacancy, which arose after superannuation of another person on 31.01.2017 from 01.02.2017, the petitioner is working as Head Mistress.

4. The directions of this Court are very clear. Respondent Nos. 1 & 2 were to release the salary for the period from the date on which she was relieved i.e. from

07.06.2016 till she joined at transferred place i.e. on 31.01.2017.

5. In view of clear directions, we are not inclined to delve more into the controversy. Respondent No. 3 to submit the necessary salary bills of the petitioner to Respondent No. 1 for the said period and if such salary bills are submitted within three weeks, respondent No. 1 shall process it as per law and release the salary within next four weeks.

6. Accordingly, we dispose of the present Contempt Petition. No order as to costs.

JUDGE

JUDGE

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