

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

C.P. NO. 114/2016 IN WRIT PETITION No. 229/2015

(CHITRA VIJAY DESHMUKH -vs- MR. ARUN PANJABRAO DESHMUKH, SECRETARY OF
CITIZEN EDUCATION SOCIETY AND OTHERS)

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

Court's or Judge's Orders.

Shri I.G. Meshram, counsel for petitioner.
Shri P.A. Gode, counsel for respondent nos.1 and 2.
Shri A.A. Madiwale, AGP for respondent no.3.

CORAM: S.C. GUPTE, J.

DATE : AUGUST 14, 2017.

Heard learned counsel for the parties.

This contempt petition is filed on the basis of an order passed by this court on 27/07/2015 directing the respondents to take certain steps in relation to the post retirement benefits of the petitioner. The petitioner worked as a Principal with respondent nos.1 and 2, who run a college by the name of Nagrik Junior College of Education. The petitioner was suspended on 29/10/2007 and later terminated with immediate effect by an order passed by the Management on 20/08/2008. This termination was challenged by the petitioner before the School Tribunal. The Tribunal by its order dated 26/09/2014, dismissed her appeal. She thereafter challenged the order of termination and dismissal of her

appeal from that order, in the present writ petition which is pending hearing and final disposal before this court.

In the meantime, it appears that the petitioner reached the age of superannuation. As a result, a civil application was moved by her before this court in her writ petition praying for an order for finalization of her post retirement benefits and dues. Certain directions in that respect were issued on 27/07/2015 to respondent nos.2 and 3, the Management and the Head Master of the School, and also to the Deputy Director of Education. The directions were that the Management and the Head Master shall forward all necessary papers to the office of Deputy Director of Education within 15 days; the Deputy Director will examine the papers and ask for compliance of deficiencies, if any, within one month of receipt of the papers of Management and thereafter finalize the pension case within 15 days. Since this was not done, the petitioner moved this court in her civil application seeking directions against the respondents towards compliance with the earlier directions of 27/07/2015. This court, after going through the rival submissions of the parties in this behalf, noted that the order passed by this court on 27/07/2015 was complied with both by the Management and the office of the Deputy Director of Education. On the basis of the same averments, the present contempt petition is moved by the petitioner.

As this court has already noted in its order dated 07/01/2016, there has been due compliance on the part of the respondents with the order dated 27/07/2015. It appears that presently the matter is with the Principal Secretary, Education and Sports Department of the State of Maharashtra for consideration of the petitioner's pension on compassionate grounds. The proposal has been forwarded to the Principal Secretary vide a letter dated 07/01/2017. The Principal Secretary shall now take a final decision on the proposal for pension on compassionate grounds. Let such decision be taken as expeditiously as possible and at any rate within a period of four months from today.

The contempt petition is disposed of.

JUDGE

Yenurkar