

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.322/2016 IN WRIT PETITION NO. 1189/2015 (D)
(PAWAN SHANKAR RAUT VERSUS ULHAS K. NARAD, I/C E.O. (SEC.), Z.P. GONDIA)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P.A. Jibhkate, Advocate h/f Shri A.Z. Jibhkate, counsel for the petitioner.
 Shri D.P. Thakare, Additional G.P. for the respondent..

CORAM : SMT. VASANTI A NAIK AND
V.M. DESHPANDE, JJ.

DATE : JANUARY 11, 2017.

By this contempt petition, the petitioner seeks an action against the respondent for not examining the proposal of the petitioner in terms of the order in Writ Petition No.1189 of 2015, of which the contempt is alleged.

Shri Thakare, the learned Additional Government Pleader appearing for the respondent, states that the proposal of the petitioner was rejected by the order dated 11.04.2016. It is stated that since only one post was available, approval could not be granted to the appointment of two teachers on the said post.

Shri Jibhkate, the learned counsel for the petitioner, states that for the first time such a stand is taken by the respondent in the order, dated 11.04.2016 as this was not the case of the respondent in the writ petition.

We are not inclined to consider the aforesaid aspect while considering the contempt petition. We find that a decision is taken by the respondent on 11.04.2016. If the petitioner is aggrieved by the said decision, the petitioner is free to avail appropriate remedy, if so advised. However, the contempt petition cannot be proceeded any longer.

In view of the aforesaid, the contempt petition is disposed of with no order as to costs.

JUDGE

JUDGE

APTE