

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

CONTEMPT PETITION NO.24 OF 2015

(Ku. Baby d/o Vithobaji Katkar ..vs.. Shri Patil Education Officer (Primary), ZP Gondia)

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

Court's or Judge's orders

None for the petitioner.

CORAM : Z.A. HAQ, J.

DATED : 20-01-2017

This Court directed issuance of notice before admission to the respondent, by the order dated 21-04-2015. The Advocate for the petitioner had not paid bhatta and had not supplied copy till 13-12-2016, therefore, notice could not be issued to the respondent.

Today the matter is listed. The office note shows that the notice issued to the respondent is awaited. As usual Shri P.N. Shende, Advocate for the petitioner is not present when the matter is called out.

The petitioner complains that the directions given by the School Tribunal by the order passed in Appeal No. STC/48/2002 on 08-10-2012 have not been complied with. The operative order passed by the School Tribunal is as follows :

“1. The appeal is partly allowed under Section 11(2) of MEPS Act, 1977.

2. *The impugned termination is hereby quashed and set aside.*

3. *The respondent No.3 Education Officer is hereby recommended to place the name of appellant in surplus waiting list and absorb her in aided school by giving top priority since she is out of employment for more than 10 years.*

4. *In the consequences, parties to bear their costs.”*

In the present contempt petition, the petitioner prays that the respondent-Education Officer be directed to absorb the petitioner in any other school where vacancy is available and to pay arrears of salary with effect from 08-10-2012 i.e. date on which the School Tribunal passed the order. The grievance made by the petitioner cannot be examined in the contempt petition. I see no reason to exercise the jurisdiction under the Contempt of Courts Act, 1971. The petition is dismissed. No costs.

JUDGE

adgokar