

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

901 CIVIL APPLICATION NO. 7514 OF 2018
IN

CONTEMPT PETITION NO.655/2015

SHAMKUMAR SAHEBRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. J. J. Patil, h/for Mr.
Sapkal V. D.

AGP for RespondentS State: Mr. S. J. Salgare

Advocate for Respondent No.4 : Mr. A. S. Sawant

Advocate for Respondent No.7: Mr. M.S. Sonawane

**CORAM : T. V. NALAWADE &
K. L. WADANE, JJ.**

DATE : 20th June, 2018.

ORDER:

1. The application is filed for recall of the order made by this Court in Contempt Petition No. 655 of 2015 on 12.04.2018. On that day nobody was present for the petitioner and learned APP had made a statement that the order of this Court passed in Writ Petition No. 8958/2013 was complied with and the pay scale was given. This court disposed of the contempt petition by holding that nothing survives in the contempt petition.

2. In the present proceeding, it is the case of the applicant that though the pay scale was given, arrears amount was not paid and there was orders made

by this Court to pay everything within the time given in the order.

3. The contention of the applicant that arrears amount is not paid is not disputed by the other side. The learned counsel for the petitioner has made further statement that till today, arrears amount is not paid. In view of this statement, the application is allowed.

4. The order dated 12th April, 2018 is recalled and Contempt petition No. 655 of 2015 is restored to its original stage.

5. This order is made in presence of the counsel for the Institution and learned APP as they waived notice and they were heard.

6. Contempt petition be placed before the Regular Court.

(K. L. WADANE, J.)

(T. V. NALAWADE, J.)

JPC