

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO.29 OF 2018
(Ramesh Maganrao Darekar Vs. The State of Maharashtra and
another)

IN CIVIL APPLICATION NO.7506 OF 2009
IN WRIT PETITION NO.770 OF 2006

Mr.A.S.Shelke, Advocate for the petitioner.

Mr.V.S.Badakh, AGP for respondent Nos. 1 and 2/State.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/03/2018

PER COURT :

1. An affidavit in reply is filed by Mr.Sunderdas s/o Sukhdeo Bhagat, who is presently the Executive Engineer, PWD (West), Padampura, Aurangabad. An unconditional apology has been tendered for having not been able to pay the wages of the petitioner u/s 17-B of the I.D.Act, 1947 for a period of about 13 months. It is stated that the payment of the said amount, as mentioned in the communication at page No.51 signed by the petitioner dated 19/03/2018, clears the outstanding dues till Feb.2018.

2. Learned Advocate for the petitioner submits that this has been the second contempt petition which the petitioner is required to file for seeking his meagre wages of Rs.5,000/- per month u/s 17-B. He is, therefore, justified in contending that this continuous harassment

of the petitioner needs to be brought to an end.

3. Learned AGP informs that the gross salary of the affiant Mr.Bhagat is about Rs.70,000/- which he is receiving on time regularly. Per contra, this petitioner has to approach this Court frequently when his meagre wages of Rs.5,000/- per month are not paid on the ground that there are no funds.

4. I am, therefore, constrained to observe that henceforth, if the monthly wages of this petitioner u/s 17-B are not paid regularly, whoever may be the concerned Executive Engineer, the said amount of Rs.5,000/- for each month would be paid by the said Engineer from his salary account and seek reimbursement from the Public Works Department. I am passing this order to ensure that this petitioner, who is not able to make two ends meet, should not be further dragged to the Court begging for his meagre wages.

5. With the above observations/directions, the contempt petition is disposed of since the petitioner graciously submits that he does not have a grievance against these respondents.

(RAVINDRA V. GHUGE, J.)