

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

CONTEMPT PETITION NO.235 OF 2015

Kusum Sadashiv Shinde ... Petitioner
Versus

Bhanudas Jadhav, Secretary
Sant Prasad Shikshan Sanstha
And Others ... Respondents

Mr. Surel S. Shah a/w Mr. Swaroop Karade for the Petitioner.
Mr. S.M. Sabrad a/w Ms. Sonal Dabholkar for Respondent No.1 and 2.
Ms. Vaishali Nimbalkar, AGP for Respondent Nos.3 and 4.
Mr. Daji Kondiba Waghmare, Respondent No.2 present in person.

CORAM : S.C.GUPTE, J.

DATE : 25 JUNE 2018

P.C. :

. This contempt petition alleges breach of, or disobedience to, the order passed by this Court on 25 July 2012 affirming the order of the School Tribunal at Kolhapur in an appeal passed on 24 April 2000. When this contempt petition came up for hearing on 27 March 2018, learned AGP's statement that she would need further time for calculating the amount payable to the Petitioner in accordance with the orders referred to above was recorded. Education Department has now calculated the amount payable to the Petitioner and the calculations have been forwarded to Deputy Director of Education, Pune, who in turn has processed the matter and sent it to Director of Education, Pune. Director of Education, Pune has forwarded a communication concerning the amount payable to the Petitioner to the Commissioner of Education on 2 June 2018, calling

upon the latter to do the needful and permit disbursal of the amount. Learned AGP assures the court that the commissioner will do so within a period of four weeks from today.

3 Learned Counsel for the Petitioner submits that his client contests the amount determined by the Education Department. If that is so, the Petitioner will have liberty to challenge the determination of the quantum before an appropriate forum. That cannot be a subject matter of the present contempt petition.

4 In the premises, the present contempt petition does not survive and the same is disposed of with directions to Commissioner of Education, Pune to dispose of the communication addressed to him on 2 June 2018 by Director of Education, Pune and cause disbursal of the amount to the Petitioner herein within four weeks from today.

5 This order is passed in the presence of Respondent No.2, whose personal presence was required by the court.

(S.C. GUPTE, J.)