

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.280 OF 2017

Mrs. Sadhana Chandrakant Bhandari

..Petitioner

Versus

**P N. Salve,
The Principal,
Annasaheb Magar College,
Hadapsar, Pune-28 and others**

..Respondents

Ms. Amita Chaware, Advocate for the Petitioner.

Mr. Avinash B. Avhad, Advocate for Respondent Nos.1 and 2.

Mr. Rajendra Anbhule, Advocate for Respondent No.3.

Mr. S. B. Kalel, AGP for Respondent No.6.

CORAM : B. R. GAVAI &

B. P. COLABAWALLA, JJ.

DATE : 19th JANUARY, 2018

PC.

1] The present Contempt Petition is filed alleging contempt of the order dated 8th February 2017. The paragraph 7 of the order reads thus :-

“7. Till the Petitioner's representation is decided, she be allowed to continue at her present place of working, if she has not already been relieved.”

2] It could thus be seen that, the order passed by this Court states that the Petitioner was allowed to continue at her present place of working, if she has not already been relieved.

3] The perusal of the document dated 9th January 2017, at page 21 of the Petition itself would reveal that the employer has stated that the

Petitioner has handed over charge of this institution and has finished all the work.

4] It also shows that the Petitioner has put an endorsement that she has taken transfer slip only and she has not accepted relieving order and she is present here in Annasaheb Magar College from 10th January 2017.

5] Mr. Avinash B. Avhad, learned counsel for Respondent Nos.1 and 2 submits that in any case even after transfer of the Petitioner, there would no change in the salary and emoluments payable to her and she would get the same salary and emoluments as she was entitled to prior to her transfer.

6] In service jurisprudence, if an employee under the transfer, does not give the charge, an employer is entitled to take ex-parte charge.

7] The order passed by this Court is passed almost after one month from the date on which charge was taken over by the employer. In that view of the matter, we do not find that case is made out for invoking contempt jurisdiction. The Petition is rejected.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]