

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

CONTEMPT PETITION NO.304 OF 2017

Laxman Harichandra Gawas		Petitioner
Versus		
Shri Abhijit S. Hegshetye		
And Others		Respondents

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Mr. C.R. Sadasivan for the Petitioner.
Mr. Rajesh Patil for Respondent Nos.1 and 2.
Mr. Vignesh Iyer I/b Mr. Rui Rodrigues for Respondent No.3.
Ms. G.R. Golatkar, AAGP for Respondent No.4.

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CORAM : S.C.GUPTE, J.

DATE : 16 JULY 2018

P. C. :

. Heard learned Counsel for the parties.

2 This contempt petition alleges breach or disobedience of an order passed by this court on 5 April 2017 in Writ Petition No.2974 of 2017, which requires Respondent Nos.1 and 2 to comply with the judgment and order dated 21 December 2016 passed by Mumbai University and College Tribunal in Appeal No.11 of 2013. There is no doubt about the purport and effect of the orders passed by Mumbai University and College Tribunal and this court. The only defence offered by Respondent Nos.1 and 2 management is that though they were ready to reinstate the Petitioner and deposit back wages in court in accordance with the order dated 5 April

2017, read with the order of the Tribunal dated 21 December 2016, the Petitioner was asking for inflated amount. Learned Counsel submits that in a review petition filed by Respondent Nos.1 and 2 management before this court (seeking to review the order dated 5 April 2017), the Petitioner infact proposed consent terms providing for reinstatement and deposit of back wages in court. That is no answer to the want of compliance required by this court and the Tribunal on the part of Respondent Nos.1 and 2 management. Respondent Nos.1 and 2 state that they shall reinstate the Petitioner with effect from tomorrow, i.e. 17 July 2018, and also deposit a sum of Rs.2,97,000/- as back wages under the order passed by this Court on 5 April 2017. The statement is accepted.

3 Respondent Nos.1 and 2 shall accordingly reinstate the Petitioner with effect from 17 July 2018 and pay his salary and other dues prospectively. Insofar as salary and other dues of the Petitioner between 5 April 2017 and 17 July 2018 are concerned, the deposit shall be made within a period of six weeks from today.

4 Liberty to the Petitioner to apply for the withdrawal of the amount deposited in the court.

(S.C. GUPTE, J.)

Rajesh
Vasant
Chittewan

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by Rajesh Vasant
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2018.07.20
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