

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO.205 OF 2019
IN
WRIT PETITION NO.7439 OF 2005

Venkat s/o Ramchandra Kamble,
Age : 56 years, Occu. Service,
R/o Acharya Vinoba Bhave
Primary School, Tq. Udgir,
District Latur

PETITIONER

VERSUS

1. The State of Maharashtra,
through its Secretary,
School Education and Sports
Department, Mantralaya,
Mumbai
2. The Deputy Director of Education,
Latur division, Latur,
District Latur
3. Dr. Vaishali Jamdar,
Education Officer (Primary),
Zilla Parishad, Latur,
District Latur
4. Acharya Vinoba Bhave Education
Society, Latur, District Latur,
through its Secretary
Shri Madhukar s/o Kishanrao
Ekurekar, Age : 58 years,
Occu. Agriculture,
R/o Latur, District Latur
5. The Head Master,
Acharya Vinoba Bhave Primary
School, Latur, Dist. Latur

RESPONDENTS

Mr. Kiran M. Nagarkar, Advocate for the petitioner
Mrs. M.A. Deshpande, Addl.G.P.for the respondent/State
Mr. U.B. Bondar, Advocate for respondent No.3

CORAM : PRASANNA B. VARALE
AND
ANIL S. KILOR, JJ.

DATE : 4th NOVEMBER, 2019

PER COURT :

Heard Mr. K.M. Nagarkar, learned counsel for the petitioner and Mr. U.B. Bondar, learned counsel appearing for respondent No. 3 – Education Officer (Primary), Zilla Parishad, Latur.

2. On a grievance that the order of this Court dated 19th December, 2016 is not complied with, simple notice was issued to respondent No.3.

3. Perusal of the order of this Court dated 19th December, 2016 clearly shows that the Division Bench of this Court, on the backdrop of grievance of the petitioner with regard to the salary not being paid to him since the year 2005 till the date of approval, directed the petitioner to approach the Education Officer and in turn, the Education Department was to pass an appropriate order on the application of the

petitioner on its own merit.

4. Mr. U.B. Bondar, learned counsel appearing for respondent No.3 invited our attention to the copy of the order dated 31st July, 2017, passed by the Education Officer (Primary), which is produced on record as Exhibit-R1. It reveals from the said order that on hearing the parties, including the petitioner, one Smt. Gaikwad Kalawati Nagorao, Headmistress of the school and Shri Jadhav Chandrakant Santram, clerk, the Education Officer by assigning the reasons passed the order.

5. It is the submission of Mr. K.M. Nagarkar, learned counsel for the petitioner that the Education Officer committed an error in passing the order dated 31st July, 2017, in which the Education Officer has taken contrary stand.

6. Be that as it may. As the order is passed by the Education Officer by taking a decision and the grievance of the petitioner of not complying the order of Division Bench of this Court dated 19th December, 2016, whereby the Education Officer was directed to take a decision, stands redressed, we see no reason to pass any further order in the present Contempt Petition as

the order of this Court is now duly complied with. In case the petitioner is aggrieved by the order dated 31st July, 2017 passed by the Education Officer, he is at liberty to take appropriate steps to challenge the said order, if so advised. The Contempt Petition is accordingly disposed of.

[ANIL S. KILOR]
JUDGE

[PRASANNA B. VARALE]
JUDGE

npj/CP205-2019