

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.543 OF 2019
IN
WRIT PETITION NO.12041 OF 2018**

Santosh s/o Supada Sonune .. PETITIONER

VERSUS

The State of Maharashtra & ors .. RESPONDENTS

Mr Deepak K. Chaudhari, Advocate for the petitioner;
Mr P.G. Borade, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE &
R.G. AVACHAT, JJ.**

DATED : 20th AUGUST, 2019

ORAL ORDER:

Heard learned Counsel appearing for the
petitioner.

2. The only grievance of the petitioner in the
present contempt petition was of non compliance of the
part of the order of this Court dated 26th October, 2018
in Writ Petition No. 12041 of 2018. In the first part of

the order dated 26th October, 2018 respondent No.2 - Scrutiny Committee was directed to take a decision within stipulated period of six months from the date of order and in the second part of the order, the respondent authority was directed not to take coercive action against the petitioner on the ground of petitioner's failure to submit tribe validation certificate. Needless to state that the authorities were directed to take appropriate action upon the outcome of the proceeding in respect of validation of tribe certificate.

3. In spite of order of this Court, the petitioner was faced with communication/order dated 19th June, 2019 whereby the petitioner was warned of coercive action. On receipt of the copy of the petition supplied to the office of Government Pleader, learned A.G.P. sought for instructions.

4. Office of Sub Divisional Officer, Mehkar,

District Buldhana, by communication dated 16th August, 2019 to the office of Assistant Government Pleader, informed that said communication was issued erroneously and there was no intention to show any disregard to the order of this Court. Unconditional apology is also tendered in the said communication. It is further stated in the communication that respondent i.e. Sub Divisional Officer, Mehkar has withdrawn the letter dated 19th June, 2019 with immediate effect. The copy of the letter dated 16th August, 2019 addressed to learned A.G.P. is taken on record and marked 'X' for identification.

5. As communication dated 19th June, 2019 is withdrawn with immediate effect, the grievance of the petitioner no more survives in the contempt petition. Accordingly, contempt petition is disposed of.

6. Learned Counsel appearing for the petitioner submitted that as consequence of letter dated 19th June,

2019, salary of the petitioner was withheld. Now, the Sub Divisional Officer, Mehkar, District Buldhana submitted to this Court that as the issuance of letter dated 19th June, 2019 was an error and letter is withdrawn with immediate effect, the officer concerned to take appropriate steps so as to release salary of the petitioner withhold from letter datd 19th June, 2019 as early as possible.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]

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