

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

**CONTEMPT PETITION NO. 531 OF 2018
IN
WRIT PETITION NO. 6844 OF 2017**

Indraneel S/o Ramrao Galphade
Age: 48 Years, Occup.Service
Resident of Massa (Khandeshwari)
Taluka Kallamb, Dist.Osmanabad

.. PETITIONER

VERSUS

1. Vaijinath S/o Kondiba Khandke
Age:Major, Occupation :
Deputy Director of Education
(Secondary),Latur, Dist.Latur
2. Audumbar S/o Sampatrao Ukirde
Education Officer (Secondary)
Zilla Parishad, Osmanabad
3. Smt.Vimalbai Bhagwanrao Shelke
@Vimal Kalyan Bhatlawande
Age:59 Years, Occup.Secretary
Samata Shikshan Prasarak
Mandal, Paranda, Dist.Osmanabad
4. Astam S/o Shivram Chandanshive
Age: Major, Occupation:Service
Head Master, Chandani Secondary
And Higher Secondary School
Pimpalwadi, Tq.Paranda
District: Osmanabad

..RESPONDENTS

Mr Rahul P. Dhase, Advocate for the petitioner;
Mrs A. V. Gondhalekar, A.G.P. for respondent - State;
Mr Kishor J. Ghute Patil, Advocate for respondent Nos. 3
& 4;

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

DATED : 8th AUGUST, 2019

ORAL ORDER:

By an order dated 6th June, 2019, this Court issued simple notice to respondent Nos.1 and 2 to seek response from them.

2. Affidavit-in-reply is filed on behalf of respondent No.1 - Deputy Director of Education, Aurangabad. The relevant statements made in paragraph Nos.5 and 6 in the affidavit-in-reply read thus:

"5. I say and submit that, in view of the directions given by the Hon'ble High Court, the Deputy Director of Education, Latur vide order dated 22.07.2019 thereby declaring the services of the petitioner as continued one

and further directed to fix the pay of the petitioner from the Accounts Officer of the Education Department. The Principal of the said College assured that after continuity of service and pay fixation, necessary arrears of salary and consequential benefits will be paid to the petitioner. The copy of the order dated 22.07.2019 alongwith communication to the Principal of the said College dated 24.07.2019 is annexed herewith and marked as **EXHIBIT R-1.**

6. I say and submit that, in view of the directions given by the Hon'ble High Court, after hearing the parties, the Deputy Director of Education, Latur had passed the order thereby sanctioned continuity in service of the petitioner and directed to fix pay of the petitioner. The respondent management also assured that after sanction to continuity in service and pay fixation, arrears of salary and consequential benefit will be paid to the petitioner."

3. The copy of the order passed by the Deputy Director of Education, Latur Division, Latur, dated 24th July, 2019 is also placed on record. Perusal of the order shows that an opportunity of hearing was given to the parties including the petitioner and the Deputy Director of Education accordingly passed the order.

4. Mr Ghute Patil, learned Counsel appearing for respondent Nos. 3 and 4 submitted that being aggrieved by the order passed by Deputy Director of Education, respondent No.3 and 4 have filed writ petition in this court.

5. Be that as it may. The order of this Court is now duly complied with and the grievance of the petitioner no more survives. The contempt petition is accordingly disposed of.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]