

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

**CONTEMPT PETITION NO. 484 OF 2015  
IN  
PUBLIC INTEREST LITIGATION NO. 83 OF 2013**

Mukund Shankarlal Dayama

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....  
Mr. N.L. Jadhav, Advocate for petitioner  
Ms. R.P. Gaur, A.G.P. for respondents  
....

**CORAM : P.B. VARALE AND  
R.G. AVACHAT, JJ.  
DATED : 20<sup>th</sup> JUNE, 2019**

**PER COURT :**

This Court issued notice to respondents on 19<sup>th</sup> July, 2016, making it returnable on 16<sup>th</sup> August, 2016. The grievance of petitioner was of non-compliance of order dated 25<sup>th</sup> March, 2014 in Public Interest Litigation No. 83 of 2013. Respondent authorities and more particularly Respondent No.1 – State through Additional Chief Secretary, Home Department and the Additional Chief Secretary, Finance Department, State of Maharashtra were directed to take decision on representation tendered by petitioner on 26<sup>th</sup> February, 2010 and communicate the same to petitioner within a stipulated period of six months from the date of order.

2. In response to the notice, affidavit-in-reply is filed on behalf of Respondent No.1 – Sunil Jaikumar Sovitkar, Deputy Secretary, Home Department, Government of Maharashtra. It is stated in the affidavit-in-reply that the demands submitted by petitioner in the representation are consolidated under five heads as the main demands. The decision is taken on these demands. Copy of the communication to petitioner is also placed on record alongwith affidavit-in-reply at Exhibit R-2.

3. It was the submission of Mr. Jadhav, learned Counsel for petitioner that respondent – authorities only considered five demands, whereas there were 24 demands in the representation.

4. On perusal of communication dated 18<sup>th</sup> October, 2017 by Under Secretary, Home Department to petitioner, it reveals that the submission of Mr. Jadhav is on misreading of the communication. In paragraph no.2 of the said communication, it is clearly stated that State Government considered the representation of petitioner dated 26<sup>th</sup> October, 2010 and consolidated these demands under five heads and after discussion with Finance Department, a consolidated decision is taken. The communication mentions of the five consolidated heads of the demands and decision taken by State Government. Alongwith affidavit-in-reply, Government Circular dated 14<sup>th</sup> August, 2017 is also annexed. It is stated in the said circular that government was aware of the fact that there may be some anomaly in the revised pay scale granted to the state government employees from 01<sup>st</sup> January, 2006 and as such, in its wisdom

State Government thought it fit to constitute Pay Anomaly Committee. The Pay Anomaly Committee of 2008 provided an opportunity of hearing to the state government employees personally or through their respective representative union/organisation. It is also stated in the circular that all the administrative departments were also provided an opportunity of hearing and it is further stated that now to consider the issue of 7<sup>th</sup> Pay Commission basis, the Pay Anomaly Committee of 2017 is constituted. Thus, the communication dated 18<sup>th</sup> October, 2017 and Government Circular dated 14<sup>th</sup> August, 2017 show that State Government is aware of the issue and also provided an opportunity to the interested parties for addressing the issue. In so far as order of this Court is concerned, communication dated 18<sup>th</sup> October, 2017 show the compliance of order in letter and spirit. The order is also communicated to petitioner. If petitioner is aggrieved, and if so advised, by order dated 18<sup>th</sup> October, 2017, there would be no dispute that petitioner is at liberty to avail of legal remedy to raise grievance in respect of communication dated 18<sup>th</sup> October, 2017.

5. Thus, as we have observed that the order passed by this Court dated 25<sup>th</sup> March, 2014 is complied with letter and spirit, the purpose of approaching this Court by way of contempt petition is duly served. Contempt petition is accordingly disposed of.

**( R.G. AVACHAT, J. )**

**( P.B. VARALE, J. )**

SSD