

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

931 CONT. PETITION NO.628 OF 2018
IN WP/9954/2017

DEEPAK RAOSAHEB SHIRSATH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Wakade Ramesh I.
AGP for Respondent Nos. 1 & 2 : Mr.S.P. Sonpawale
Advocate for Respondent Nos. 4 & 5 : Mr.Shinde
Chandrakant K.

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**CORAM : PRASANNA B. VARALE AND
AVINASH G.GHAROTE, JJ.
DATED : 13th SEPTEMBER, 2019.**

ORAL ORDER :

Heard Mr. Wakade, learned counsel for the petitioner, Mr. Shinde, learned counsel for respondents No. 4 and 5 and Mr. Sonpawale, learned AGP for respondents No. 1 & 2. Perused the order of this Court dated 21st August, 2019.

2. Today, Mr. Shinde learned counsel appearing for respondents No. 4 and 5 invited our attention to the additional affidavit filed on behalf of respondent No. 4 Limbraj Ramchandra Jadhav, Secretary and President of Dnyan Vaibhav Shikshan Sanstha, Parali (Vaijnath) Dist. Beed.

3. It is stated in para one of the affidavit-in-reply that as per order of this Court dated 21.8.2019 respondents No. 4 and 5 are tendering cheques towards the balance payment of Rs. 4,33,875/-. The particulars are disclosed (1) Cheque No. 234496, dated 30.9.2019 for an amount of Rs. 1,33,875/- and (2) Cheque No. 234499, dated 25.10.2019, for an amount of Rs. 3,00,000/-.

4. Mr. Shinde learned counsel submits that the amount of Rs. 4,33,875/- is divided in two parts in the backdrop of financial crisis being faced by the respondents, but the intention of the respondents is to comply the order of this Court in letter and spirit. It is also stated that for the delay in compliance of the order of this Court, respondent Nos. 4 and 5 have tendered their unconditional apology. Respondents No. 4 and 5 are now complying with the orders of this Court in letter and spirit and by accepting unconditional apology, we direct the

learned Counsel Mr. Shinde, to hand over the cheques to the learned counsel appearing for the petitioner.

5. It is submitted by Mr. Shinde, learned counsel for the petitioner that for short period the petitioner was not paid salary. Mr. Shinde, learned counsel for the respondent Nos. 4 & 5 on instructions from respondents No. 4 and 5, who are present in the Court, assured this Court that grievance of the petitioner for non payment of salary for short period would also be addressed immediately and this amount of unpaid salary would be released /handed over to the petitioner, as early as possible. This statement is accepted as an undertaking to this Court.

6. As the order of this Court is thus duly complied with, grievance of the petitioner is no more survives.

7. The Contempt Petition is accordingly

disposed of.

(AVINASH G. GHAROTE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

mahajansb/