

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CONT. PETITION NO.723 OF 2019
IN WP/7284/2019

DEORAO KADUBA SAKHALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Pradeep Salunke h/f
Mr.Salgare Vitthal G.
AGP for Respondents: Mr.S.G. Sangle
...

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

DATED : 3rd DECEMBER, 2019.

ORAL ORDER :

By way of the present Contempt Petition, the petitioner is approaching this Court on a grievance of non compliance of the order of this Court dated 18.6.2019.

2. Perused the order of this Court dated 18.6.2019 passed in the bunch of petitions. The grievance before this Court in the bunch of petitions was seeking recovery of certain benefits granted to the petitioner.

3. Though an issue was raised for non granting benefits to some of the petitioners, order of the Division Bench of this Court dated 18.6.2019

ascertaining only on the issue of recovery of the benefits granted to the petitioners and resultantly with the observations that if the petitioners are already granted certificate for excellent work in the year 2007, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolutions and also by referring the same order passed by this Court, the Division Bench in paragraph No. 3 of the order was pleased to observe that the Government Resolution dated 24.8.2017 will have prospective effect and not retrospective and in that case the benefit that was accorded to the petitioners of excellent work in the year 2007 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to them. Writ Petitions, accordingly were disposed of. The petitioners, immediately, after passing of the order on 18.6.2019, submitted representations to the Chief Executive Officer, Zilla Parishad, Aurangabad.

2. A bare perusal of these representations would show that the claim in the representations is

totally contrary to the order passed by this Court. If the representation, in consonance with the order of this Court, was made to the authority and the authority has paid no heed, then certainly, the petitioners had some grievance to approach this Court. But, considering the tenor of the representations, we are of the clear opinion that representations are only due to misreading of the order of this Court and due to the assumption of the petitioners.

3. Considering this very fact, we are of the opinion that no reason coming forth, prompting us to even worth of issuance of notice in the present Contempt Petition. As such, we dispose of the Contempt Petition at the threshold, with liberty to the petitioners to submit proper representations to the authority. With this liberty, the petition is disposed of.

(ANIL S. KILOR)
JUDGE

mahajansb/

(PRASANNA B. VARALE)
JUDGE