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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 168 OF 2017

Shri Digambar Ganpati Patil	.. Petitioner
Vs.	
The State of Maharashtra and ors.	.. Respondents

WITH
CONTEMPT PETITION NO. 169 OF 2017

Shri Madhukar Shivaji Kirulkar	..Petitioner
Vs.	
The State of Maharashtra and ors.	.. Respondents

WITH
CONTEMPT PETITION NO. 170 OF 2017

Shri Sunil Baburao Yadav	.. Petitioner
Vs.	
The State of Maharashtra and ors.	.. Respondents

WITH
CONTEMPT PETITION NO. 171 OF 2017

Shri Sambhaji Dattatray Powar	.. Petitioner
Vs.	
The State of Maharashtra and ors.	.. Respondents

WITH
CONTEMPT PETITION NO. 172 OF 2017

Archana Pandurang Waingade .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

WITH
CONTEMPT PETITION NO. 173 OF 2017

Shri Dattatray Sambhaji More .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

WITH
CONTEMPT PETITION NO. 174 OF 2017

Shri Shivaji Ashru Devadkar .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

None for the petitioners.
Mr. M. M. Pabale, AGP for State.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

JULY 02, 2019.

P.C.

1. Seven Writ Petitions 6421 – 6426 & 6428 of 2015
filed by seven petitioners who are the relators in these seven

contempt petitions were disposed of by an order dated 16 September 2016.

2. The claim of the petitioners was that the Education Officer was not deciding the proposal sent by the institution employing them. The proposal was to grant approval to the petitioners as full time permanent teachers. If such proposal was accepted, the security inuring to the petitioners would be the grant-in-aid disbursed by the Education Department to the institution under which they were employed.

3. The decision dated 16 September 2016 is that the Education Officer shall decide the approval sought for by the institution under which the petitioners were employed and till then no teacher of an outside institutions shall be posted at the institution where the petitioners were working.

4. Alleging non compliance with the afore-noted order by the Education Officer, further grievance is that the institution under which the petitioners were working, have stopped releasing salary to the petitioners.

5. Suffice it to state that the institution under which the

petitioners were working cannot stop salary but unfortunately this act would not be contemptuous for the reason there is no such direction in the order dated 16 September 2016. But, the direction to the Education Officer to take the decision has to be enforced and needless to state if the decision is in favour of the petitioners, rest of the grievances shall dissolve.

6. We dispose of the contempt petitions directing the Deputy Director of Education (Secondary), Kolhapur Division, Kolhapur to comply with the mandamus issued as per the order dated 16 September 2016 in the seven writ petitions filed by the petitioners. Necessary orders shall now be positively passed within eight weeks and an affidavit of compliance would be filed in this court.

7. Learned counsel for the Deputy Director of Education (Secondary), Kolhapur Division, Kolhapur undertakes to transmit an authenticated copy of the present order to the said Authority.

N. M. JAMDAR, J.

CHIEF JUSTICE