

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION STAMP NO.18316 OF 2017
IN
WRIT PETITION NO.4220 OF 2015**

Shri. Rajesh Mahadeo Malwadkar and others ..Petitioners

Versus

Dinesh Waghmare,

The Secretary,

Social Justice and Special Assistance Department

Mantralaya, Mumbai and others

..Respondents

Mr. Rajaram Deshmukh, Advocate for the Petitioners.

Mr. P. G. Sawant, AGP for the Respondent - State.

CORAM : B. R. GAVAI &

N. J. JAMADAR, JJ.

DATE : 14th JANUARY, 2019

P.C.

1] The Petitioners have approached this Court contending therein that the Respondents have committed contempt of this Court by not complying with the order dated 30th August 2016 in Writ Petition No.4220 of 2015.

2] By the said order, this Court without going into the merits of the matter and the Petitioners' entitlement on the basis of the communication had directed the Respondent No.1 to consider

the Petitioners' claim.

3] In the affidavit in reply filed on behalf of Respondent No.1, it is stated that since the Petitioners are part time teachers, the Sate Government has taken a decision not to extend benefit of 6th Pay Commission to them.

4] In that view of the matter, the order of which contempt is alleged stands complied with. If the Petitioners are aggrieved by the decision of the State Government of not giving them the benefit of 6th Pay Commission, the remedy would be to challenge such a decision and not the Contempt Petition. The Contempt Petition is disposed of.

[N. J. JAMADAR, J.]

[B. R. GAVAI, J.]