

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1557 OF 2019
IN
WRIT PETITION NO.7720 OF 2005
WITH
CIVIL APPLICATION NO.2059 OF 2009

Union of India ..Applicant

In the matter between

Mr. P.K. Sidharthan ..Petitioner

Versus

Union of India & Ors. ..Respondents

Mr. Deepak R. Yadav i/b.Girish J. Paryani, Advocate for the Applicant.
Mr. A.S. Rao, advocate for the Petitioner.

**CORAM : RANJIT MORE &
SMT. BHARATI H. DANGRE, JJ.**

DATE : 16th JULY, 2019.

P. C. :

1. Heard learned counsel for the respective parties.
2. The respondent/original petitioner had filed Writ Petition No.7720 of 2005. The said petition along with Civil Application No.2059 of 2009 was placed before the Division Bench of this Court on 27th September 2018. After hearing both sides, the petition was disposed off by following operative order:

ORDER

- (i) If the respondents have granted relief of promotion and other

consequential benefits on the basis of the judgment and order dated 20th January, 2000 in Original Application No.417 of 1994 to the applicants therein, the petitioner shall be granted the same benefits within a period of three months from the date on which this judgment and order is uploaded;

(ii) It is obvious that even the retirement benefits granted to the petitioner shall be reworked on the basis of the judgment and order and necessary amount payable by way of difference shall be paid to the petitioner within a period of six month from the date on which this judgment and order is uploaded;

(iii) Rule is made absolute in the above terms;

(iv) Pending civil application, if any, do not survive and the same are disposed of.

3. In terms of the above order, the applicant-Union of India was expected to comply with the directions within a period of six months i.e. on or before 26th March 2019. The applicant, however, filed fresh Civil Application No.471 of 2019 for extension of time to comply with the above stated directions. This Civil Application was placed before the Division Bench of this Court on 19th March 2019 and after hearing the parties, this Court extended time till 30th June 2019 to comply with the order dated 27th September 2018 in Writ Petition No.7720 of 2005.

4. In terms of the above order, the applicant-Union of India has not complied with order in Writ Petition No.7720 of 2005 before 30th June 2019 and again the present application is filed for extension of time to comply with the said order. We have perused the application. However, we do not find any justifiable reasons except the procedural reasons putforth. The applicant is already in contempt. However, by way of indulgence and as a last chance, we are granting extension for a period of two months from today to comply with the order dated 27th September 2019 in Writ Petition No.7720 of 2005. We make it clear that this extension is granted by way of exception and no further extension would be granted. It is further made clear that non-compliance of the said order would be treated as a willful disobedience and appropriate action will be taken against the applicant in accordance with law.

5. Subject to above, the Civil Application is disposed off.

[SMT. BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]