

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 459 OF 2018

Shri Manohar Fakira Randhir

.. Petitioner

Vs.

Dr. Anil Patil

.. Respondent

Chairman, Rayat Shikshan Sanstha

Satara and Ors.

Mr. N. V. Bandiwadekar i/b. A. N. Bandiwadekar for the Petitioner.

Mr. Milind Deshmukh for Respondent nos. 2 and 3.

Ms. V. Nimbalkar, AGP for Respondent nos. 5 and 6.

CORAM : A.K. MENON, J.

DATED : 4th FEBRUARY, 2019.

P.C. :

1. The petition proceeds on the basis that respondent nos. 1 to 3 are in contempt of the order dated 31st March, 2015 passed by this Court in Writ Petition No. 6392 of 2012. The order records the fact that the original petitioners in that writ petition had reinstated the petitioner herein as Assistant Teacher without pre-conditions. This was on the basis of orders dated 8th August, 2012 and 8th August, 2014 and further orders dated 14th August, 2014 and 20th January, 2015 passed in that petition.

2. Rayat Shikshan Sanstha represented by respondent nos. 1 to 3 is represented today and state that they have reinstated the petitioner. The non

compliance alleged was limited to failure to pay salary for the period 26th April, 2012 to 29th January 2015 viz till he was reinstated as Assistant teacher. Post reinstatement there is no grievance of non payment of salary.

3. On behalf of the respondent it was submitted that the requisite proposal has unfortunately not been sent till date and therefore necessary funds had not been released by respondent no. 6 on behalf of the state. Today parties have tendered minutes of order executed between petitioner and respondent nos. 1 to 4 dated 4th February, 2019 where respondent nos. 1 to 3 have agreed to submit salary bills in respect of the petitioner to respondent no. 6.. Minutes of the order taken on record and marked "X" for identification. Accordingly, I pass the following order :

(i) There will be an order in terms of the Minutes dated 4th February, 2018 handed in today. Undertakings contained in the minutes are accepted

(ii) Respondent nos. 1 to 3 to submit salary bills in respect of the petitioner to respondent no. 6.

(iii) Upon receipt of the proposal, respondent no. 6 shall process the proposal and pass appropriate orders in accordance with law within three weeks.

(iv) If the proposal is not sanctioned, the petitioner shall be entitled to seek redressal of his grievances as against respondent no. 6 and the authorities whom he reports to and will not have any claim against respondent nos. 1 to 3.

(v) In view of the above petition is disposed.

(A.K. MENON.J.)