

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CONTEMPT PETITION NO.226 OF 2017

IN

M.C.A. NO.1094 OF 2015(D) IN WRIT PETITION NO.757 OF 2012(D)

(Madhukar s/o Mahadevsa Bijve ..vs.. Shri Pradeep Jagtap and others)

Office Notes, Office Memoranda of Coram,
Court's or Judge's orders
appearances, Court's orders of directions
and Registrar's orders

Shri B.N. Jaipurkar, Counsel for the petitioner,
Shri N.S. Khandewale, Counsel for respondent 1,
Shri N.R. Patil, AGP for respondent 4.

CORAM : ROHIT B. DEO, J.

DATED : 24-09-2019

The only grievance is that the employee is not extended the pensionary benefits.

2. The submission of respondent 1-Municipal Council is that the employee was regularised on 20-4-2001 and superannuated on 13-9-2001 and, therefore, having put in hardly five months of service as regular employee, is not entitled to pension.

3. Shri B.N. Jaipurkar, learned Counsel would submit that the service rendered by the employee as a daily-wager employee will have to be considered for calculating the qualifying service.

4. This issue cannot be gone into in contempt

jurisdiction.

5. The contempt petition is disposed of with liberty to the petitioner-employee to approach such Forum as is permissible in law with the grievance.

JUDGE

adgokar