

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CONTEMPT PETITION NO.262 OF 2018
IN
WRIT PETITION NO. 5103 OF 1999

Padma Triupati Peddalwar

.. Petitioner

Versus

Shri Vijay Kumar
Secretary, Agriculture/
Animal Dairy Development
and Fishery Department and ors.

.. Respondents

Mr A.D. Soman, Advocate for petitioner

Mr M. N. Navandar, Advocate for respondent no.3

**CORAM : PRASANNA B. VARALE AND
ANIL S. KILOR, JJ.**

DATE : 14.1.2020

ORAL ORDER :

1. By order dated 14.11.2019, time was granted to learned Counsel Mr Navandar, appearing for respondent no.3 to make a positive statement before this Court which would show that the order of this Court is complied with in letter and spirit. Mr Navandar, learned Counsel for respondent no.3 placed on record copy of the order dated 25.11.2019. The order refers to the interim order passed in the petition filed by the petitioner, then an application submitted by the respondent seeking review and the order passed on the review application. Then, it also refers to the final order passed in Writ Petition No.5103 of 2019 dated 4.9.2014. The order concludes with a statement that the order afresh of appointment of petitioner is passed and the petitioner would be entitled for the monetary benefits with retrospective effect from 11.12.2007.

2. Though the learned Counsel Mr Soman submits before this Court that the order passed by respondent dated 25.11.2019 is not in consonance with the interim order passed by this Court dated 15.3.2000 and it was also the submission of Mr Soman that respondent no.3 was directed to permit the petitioner to resume duty on or before 27.3.2000, the respondents on one or the another reason permitted the petitioner to join duty only some time in year 2007 that too after an order passed by this Court in a contempt petition. Now, these submissions of learned Counsel Mr Soman appearing for petitioner cannot be considered for more than one reason. Firstly, the submissions of Mr Soman would extend the scope of the present contempt petition and the limited scope in a contempt proceeding, this Court may not extend the scope so as to assess the submissions of Mr Soman. Secondly, all the submissions advanced before this Court by Mr Soman were not submitted before this Court when the Writ Petition was decided by the final order dated 4.9.2014. This reflected in the order dated 4.9.2014. The Division Bench was pleased to observe that there is hardly any grievance left with the petitioner, if same situation is continued. Petitioner has not raised any objection in this Court while the petition was disposed of in the nature of not permitting the petitioner to resume the duty in year 2000. As such, we are of the opinion that in view of the order dated 25.11.2019, the order of this Court is complied with. If the petitioner is having any grievance against the order dated 25.11.2019, the petitioner may avail

appropriate remedies to challenge the order, if so advised. With these observations, Contempt Petition is disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

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