

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

**CONTEMPT PETITION NO.818 OF 2019
IN
WRIT PETITION NO.4997 OF 2003**

Dwarkadas s/o Shankarlal Naole,
Age: 65 years, Occ: Retired
R/o. CIDCO, Aurangabad

PETITIONER

VERSUS

1. The State of Maharashtra,
Through Dr. Vandan Krishna,
Chief Secretary, Department
of Education, Mantralayya,
Mumbai
2. Dinkar Patil, Director of Education,
Pune
3. Vaijinath Khanake, Deputy Director
of Education, Aurangabad

RESPONDENTS

Mr P.P. Dawalkar, Advocate for the petitioner;
Mr S.S. Dande, A.G.P. for respondents

**CORAM : PRASANNA B. VARALE &
R.G. AVACHAT, JJ.**

DATED : 7th FEBRUARY, 2020

ORAL ORDER:

In view of our order dated 24th January, 2020,

Mr. Dande, learned A.G.P. placed on record the compilation of the documents including the communication forwarded to the office of Government Pleader dated 6th February, 2020. The concluding part of the communication refers to the verification in respect of fixation of pay of the petitioner payable from the deemed date and the submission of the modified proposal to the office of Accountant General, M.S. Mumbai.

2. The compilation also includes the copy of the order passed by the Deputy Director of Education, Aurangabad dated 6th November, 2017 and the proposal dated 31st January, 2020. There is also communication dated 31st January, 2020 forwarded to the office of Accountant General, M.S. Mumbai with a request to grant proposal at the earliest considering the directions of this Court in Writ Petition No. 4997 of 2003 dated 25th August, 2016. This communication refers to deemed date i.e. 12th November, 1987 and pay (to which the petitioner is entitled) i.e. Rs.1400-40-1600-50-2300-60-2600.

3. In view of these facts, the respondents have completed major compliance of the order of this Court and insofar as the actual payment to the petitioner is concerned, that can be taken care of by directing respondent No.3 Deputy Director of Education, Aurangabad to look into the matter personally by establishing the contact with the office of Accountant General, M.S. Mumbai requesting the Accountant General for grant of approval to the modified proposal. This exercise, in our opinion, would be necessary in the interest of justice, as the office of Accountant General, M.S. Mumbai is not party either to the writ petition or to the contempt petition, but, then this exercise may result in expeditious approval from the office of the Accountant General, M.S. Mumbai.

4. The contempt petition is accordingly disposed of.

Authenticated copy of this order be supplied to learned A.G.P. and learned A.G.P. to forward the copy of this order to the office of Accountant General, M.S. Mumbai also.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]