

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

CONTEMPT PETITION NO.45 OF 2018 IN
WRIT PETITION NO. 2108 OF 2000 (D)

Dr. Chandrabhan Uddhav Dhawas

Vs.

Jalaj Sharma, The C.E.O., Z.P., Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri P.D. Meghe, Advocate for petitioner.

Shri K.L. Dharmadhikari, Asst. G.P. for respondent No.3.

CORAM : A.S. CHANDURKAR AND N.B. SURYAWANSHI, JJ.

DATED : DECEMBER 03, 2020.

The grievance of the petitioner is with regard to non-compliance with the directions issued by this Court in Writ Petition No.2108 of 2000. By the judgment dated 6th June, 2017 Chief Executive Officer, Zilla Parishad, Yavatmal was directed to reconsider the case of the petitioner for grant of benefit of higher pay scale under the scheme of Stagnated Promotion. As this direction was not complied with the present contempt petition is filed.

2. After notice was issued by the Court, the respondent Nos.1 and 2 have filed their reply in which they have stated that by taking decision on 5th August, 2017 the directions issued by this Court have complied.

3. Shri Meghe, learned counsel for the petitioner submits that though this Court had directed the respondent Nos.1 and 2 to reconsider the case of the petitioner for receiving benefit

of higher pay scale, the same has infact not been done. He submits that petitioner is entitled to receive higher pay scale from 1995. The communication dated 5th August, 2017 indicates that such benefit is granted from 1st December, 2001.

4. In contempt jurisdiction it will not be permissible for the Court to examine correctness of the decision taken by the respondent Nos.1 and 2. If the petitioner is aggrieved by the communication dated 5th August, 2017 he is free to challenge the same in accordance with law. It is therefore not necessary to keep the contempt petition pending and the same is disposed of.

JUDGE

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