

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 614 OF 2021
IN
CONTEMPT PETITION NO. 61 OF 2021**

The Association of the Sub-Ordinate Service
of Engineers Maharashtra State and Ors. ... Applicants/Petitioners
Versus

The State of Maharashtra & Ors. ... Respondents

.....

Ms. Vaidehi P. Deshmukh for the Applicants/Petitioners.
Ms. P.J. Gavhane, A.G.P. for the Respondent-State.

.....

**CORAM : K.K. TATED &
R.I. CHAGLA, JJ.**

DATE : 9th MARCH, 2021.

PC. :-

1 Heard learned Counsel for the parties.

2 By this Interim Application, the Applicants- Original
Petitioners are seeking permission to place on record certain documents in
support of the Contempt Petition.

3 The learned Counsel for the Applicants submits that as the Respondents failed and neglected to comply the judgment dated 06.02.2019 passed by this Court in Writ Petition No.2605 of 2017, they preferred the Contempt Petition. She submits that this Court by order dated 06.02.2019 directed the Respondents to refund the amount if any, recovered by them from the applicant's salary pursuant to Circular dated 13.06.2016, within a period of three months. She submits that till today the Respondents have not complied the said order nor they refunded the amount. To place further documents on record they preferred the present Interim application. ‘

4 Considering the submission made by the learned Counsel for the Applicants and averments made in application, we are satisfied that the Applicants have made out a case for allowing Interim Application. Hence, the following order is passed :

- i) Interim Application is allowed in terms of prayer clause
- (b) which reads thus :

*(b) The Hon'ble Court be pleased to allow the Applicant/Petitioner to amend the contempt petition in terms of **Exhibit "1"**.*

- ii) Amendment to be carried out on or before 25.03.2021.
- iii) If amendment is carried out within time, Applicants are directed to serve amended copy of Contempt Petition on the Respondents and file affidavit of service to that effect on or before 31.03.2021.
- iv) Contempt Petition to appear on board on 07.04.2021.

Waishali
S.
Waghmare

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signed by
Waishali S.
Waghmare
Date:
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(R.I. CHAGLA, J.)

(K.K. TATED, J.)