

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 358 OF 2019

Ms. S. Tabasoom Mohamadhanifkazi ...Petitioner

Versus

The State of Maharashtra, Thr. The ...Respondents
Secretary & Ors.

Lengare Y. B. - Advocate for the Petitioner.
N. K. RajPurohit – AGP for the Respondent/State

CORAM : S. C. GUPTE AND
SURENDRA P. TAVADE, JJ.
DATE : 25 FEBRUARY 2021.

P.C. :

1. This petition complains of non-compliance with the order dated 06 March 2019 on the part of the Respondents.
2. By order dated 06 March 2019, the Respondents were directed to disburse arrears of salary in the sum of Rs. 3,24,000/- by 31-3-2019. It is not in dispute that this amount has already been credited to the account of the Petitioner. The order secondly required the Education Officer to consider the matter of approval to the Petitioner's appointment as full time assistant teacher without insisting on any fresh proposal for approval. Even this approval has since been issued

on 20.05.2019. There is, thus, compliance with the order of this Court of 06 March 2019. The grievance of the Petitioner is that, though, approval has been granted to the Petitioner's appointment as full time assistant teacher, her salary has not been released so far. If that is so, the Petitioner would have to file a fresh petition seeking an appropriate direction. She could not invoke contempt jurisdiction of this Court for punishing the Respondents for non-compliance with the order of 06 March 2019.

3. The petition is, accordingly, dismissed.

4. It is made clear that the Petitioner would have the liberty to approach this Court by filing a fresh petition seeking directions for payment of salary.

[SURENDRA P. TAVADE, J.]

[S. C. GUPTE, J.]