

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

CONTEMPT PETITION NO. 119 OF 2019 IN
WRIT PETITION NO. 651 OF 2017 (D)

(Ashok Shriram Lahane Vs. Dr. Vandana Krishnan, Secretary, Deptt. of School Education, State of Mah., Mumbai and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri B.G. Kulkarni, Advocate for the petitioner.
Mrs. S.S. Jachak, A.G.P. for respondent Nos. 1, 3 & 4/State.

CORAM:- A.S. CHANDURKAR AND
PUSHPA V. GANEDIWALA, JJ.

DATED :- MARCH 09, 2021.

Heard.

2. The grievance of the petitioner in this contempt petition is the non-compliance of the directions of this Court in the order dated 12/09/2017 in Writ Petition No. 651/2017.

3. In the aforesaid writ petition, the petitioner had sought relief for his upgradation as a Full Time Librarian retrospectively from the date when the school had become eligible for the post of Full Time Librarian (i.e. 07/10/1995).

4. After hearing both the parties, this Court vide order dated 12/09/2017 directed the respondent No. 4 to verify the records and workout suitable date for upgradation of the petitioner as a Full Time Librarian and accordingly, the wages of the petitioner shall be notionally

hiked so as to give him benefits thereof in his current salary.

5. The affidavit on behalf of respondent No. 1/State, filed by Mrs. S.S. Jachak, learned Assistant Government Pleader is taken on record and marked as 'X' for identification.

6. Learned Assistant Government Pleader brought to our notice one communication dated 08/03/2021 informing that since the year 2005-2006 and onwards the strength of the students in the said school has been continuously reduced below 1000 and, therefore, the petitioner cannot be upgraded as a Full Time Librarian.

7. Considering the aforesaid communication, we find that the directions of this Court in the order dated 12/09/2017 have been duly complied with. We dispose of the contempt petition with liberty to the petitioner, if he has any grievance, to agitate the same before the appropriate Forum, if so advised. Hence, the contempt petition is disposed of accordingly with no order as to costs. All pending civil applications stand disposed of.

JUDGE

JUDGE