

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

CONTEMPT PETITION NO.239 OF 2019

IN

WRIT PETITION NO.133 OF 2016

Shakuntala Ramnarayansingh Thakur, Head-mistress, Nagsen Vidyalaya, Bezonbag, Nagpur

-vs-

Chintamani Wanjari, Education Officer (Primary), Zilla Parishad, Civil Lines, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri V. A. Dhabe, Advocate for petitioner.

Smt B. P. Maldhure, Advocate for respondent No.1.

Shri K. S. Malokar, Advocate for respondent No.2.

CORAM : A. S. CHANDURKAR AND G. A. SANAP JJ.

DATE : November 15, 2021

The grievance of the petitioner is the issuance of communication dated 04/10/2018 by the Education Officer (Primary) by which it has been directed that the Headmaster/Headmistress and Assistant Teacher shall open a joint account for disbursement of funds granted under the mid-day meal Scheme. According to the petitioner by the order dated 16/02/2016 passed in Writ Petition No.133/2016, the then Education Officer had been warned not to go into the question as regards the dispute between two factions in the public trust. In the said writ petition the present petitioner has sought a direction against the Education Officer to grant approval on the post of Headmistress. In that context this Court

made the aforesaid observations. After the order granting approval was produced and the then Education Officer had sought unconditional apology, by directing costs of Rs.10,000/- to be paid by the Education Officer it was directed that the arrears be paid within six weeks from the said date. We find that the arrears payable to the petitioner have been since cleared. The present proceedings have been initiated not against the then Education Officer but against the present incumbent as according to the petitioner issuance of the order dated 04/10/2018 is contumacious. Perusal of the order dated 04/10/2018 indicates that the direction to open a joint account has been issued to the Headmistress and Senior teacher at the school to facilitate disbursement of funds from the mid-day meal Scheme. If the petitioner is aggrieved by the aforesaid communication she is free to take such steps as are permissible in law for challenging those directions. We do not find that by issuing such communication there is any wilful disobedience or breach of the directions issued in Writ Petition No.133/2016. With aforesaid observations the present proceedings are disposed of.

JUDGE

JUDGE