

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

CONTEMPT PETITION NO. 222/2020 IN WRIT PETITION NO. 4899/2019 (D)

(RAJASHREE SHEKHAR SELUKAR **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's order

Shri S.P. Palshikar, counsel for the petitioner.
Ms S.S. Jachak, A.G.P for the respondents.

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

DATED : 04TH OCTOBER, 2021.

The grievance of the petitioner is in the context of non-compliance of the directions issued in Writ Petition No.4899 of 2019 dated 11.02.2020. By the said order this Court set aside the order of termination dated 19.06.2017 that was issued to the petitioner and her services were directed to be reinstated forthwith. It was further directed that the caste claim of the petitioner be forwarded to the Scrutiny Committee for verification of the same. As regards back wages the same were dependent on the outcome of the proceedings before the Scrutiny Committee.

After notice was issued in the contempt petition, order dated 19.10.2020 has been produced on record in which it is stated that the petitioner has been reinstated in service. Condition No.8 therein states that matters pertaining to service of the petitioner would depend upon the outcome of the proceedings before the Scrutiny Committee.

The learned counsel for the petitioner submits that Condition No.8 ought not to have been included in the order of reinstatement.

In contempt jurisdiction it would not be permissible for this Court to examine the necessity or otherwise of such condition. If the petitioner is aggrieved by any condition in the reinstatement order, she is free to take legal recourse in accordance with law.

As regards appearance before the Scrutiny Committee for the purposes of verification, the learned Assistant Government Pleader submits that the petitioner has not been co-operating and is not remaining present before the Scrutiny Committee.

The learned counsel for the petitioner on instructions submits that henceforth the petitioner would appear before the Scrutiny Committee and co-operate in the exercise of verification of her caste claim.

In view of aforesaid, we do not find any cause to keep the present proceedings pending. The contempt petition is disposed of.

(G.A. SANAP, J.)

(A. S. CHANDURKAR, J.)

APTE