

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

CONTEMPT PETITION NO.354 OF 2019 IN
WRIT PETITION NO. 6881 OF 2017

Prakash Yashwant Deshmukh Vs. Pyarelal Chhotelal Tandayya and Ors.

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

Court's or Judge's orders.

Shri P.P. Thakare, Advocate for petitioner.
Shri P.N. Shende, Advocate for respondent Nos.1 and 2.

CORAM : V.M. DESHPANDE, J.
DATE : 9th MARCH, 2021.

The petitioner has filed an appeal bearing Appeal STN No.32 of 2016 before the School Tribunal, Nagpur, which was allowed on 19.06.2017. Though a direction was given to the respondent/Management that the petitioner be reinstated in service within a period of 30 days, the prayer of back wages was rejected.

(2) Though prayer for back wages was not challenged by the petitioner, the respondents have filed Writ Petition No.6881 of 2017 challenging the order of reinstatement, which was dismissed on 23.02.2018. The said order of dismissal is not challenged by the respondents before the Hon'ble Supreme Court. In spite of that the petitioner was not allowed to join the service. Therefore, the present contempt petition.

(3) On last occasion i.e. on 05.03.2021, a statement was made on behalf of the respondent-Management before this Court that the Management will allow the petitioner to resume the duties by accepting his joining report. Accordingly, on 08.03.2021, the petitioner has joined the service and resumed his duties as an Assistant Teacher.

(4) The submission of the learned counsel for the petitioner is that the respondents have not given continuity of service. When the petitioner is allowed to join as an Assistant Teacher that postulates that there shall be continuity in service of the petitioner.

(5) In that view of the matter, nothing remains in this contempt petition and accordingly it is disposed of. No order as to costs.

(6) As per order dated 05.03.2021, respondent nos.1 and 2 are personally present in the Court. In view of disposal of contempt petition, they are discharged.

JUDGE

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