

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**909 CONTEMPT PETITION NO.441 OF 2022
IN WP/5677/2018**

**SANTOSH MARUTI HINGE
VERSUS
AUDUMBAR UKIRDE AND OTHERS**

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Mr L. V. Sangit, Advocate for petitioner;
Mr S. G. Karlekar, A.G.P. for respondents/State
Mr A. N. Kakade, Advocate for respondent No.3

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 23rd September, 2022

PER COURT:

1. On 14/09/2022, we had passed the following order :-

“1. Shri Kakde, the learned advocate, who appears for respondent No.3, submits that the Management has performed it's duty of issuing an appointment order with effect from 01.12.2021 and all the documents inclusive of the appointment order, have been forwarded to respondent No.2 vide the covering letter dated 04.12.2021, in the form of a proposal for seeking approval.

2. The learned AGP submits that he would take instructions from respondent No.2.

3. List this petition on 23.09.2022 in the “passing orders” category.”

(2)

2. The learned A.G.P. submits on instructions that, the Education Officer (Secondary), Zilla Parishad, Ahmednagar Shri. Ashok Kadus, has passed an order today morning, i.e. on 23/06/2022, thereby complying with the directions of this Court, dated 16/11/2021. Though the time was granted to him upto 31/01/2022, the order is complied with after 9 months.

3. The Management has performed it's duty well in advance and it was left to the Education Officer to take a decision within the time frame.

4. This is not the first case, wherein the Education Officer Shri. Ashok Kadus has been arrayed as a Contemnor before us. The learned Advocate for the petitioner submits that, the petitioner was compelled to file a contempt petition and it is only after this Court passed an order, that Shri. Ashok Kadus has implemented the direction of this Court, dated 16/11/2021.

5. As such, we are not initiating any action under the Contempt of Courts Act against him, in order to enable him an opportunity to henceforth abide by the orders of this Court within prescribed time, granted by the Court.

(3)

6. The learned A.G.P. submits on instructions that, the Education Officer Shri. Ashok Kadus submits that, he would deposit an amount of Rs.5,000/- (Rs. Five Thousand) with the Advocate Association's Bar Library, High Court, Aurangabad, and henceforth, would be very cautious and particularly with such matters.

7. As such, this contempt petition is disposed off.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk