

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.12410 OF 2022
IN CP/345/2021**

SAMBHAJI MARUTI GUTTE

..APPLICANT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Anand V. Indrale Patil, Advocate for the Applicant.

Mr. P. K. Lakhotiya, AGP for Respondents-State.

Mr. H. P. Kshirsagar, Advocate for Respondent No.3.

Mr. K. P. Rodge, Advocate for Respondent Nos.4 and 5.

...

CORAM : RAVINDRA V. GHUGE

AND

ARUN R. PEDNEKER, JJ.

DATED : 30th AUGUST, 2022.

PER COURT:-

1. The applicant has preferred this civil application for seeking direction to the Registry to reconstruct the file of the Contempt Petition.

2. The learned Advocate for the applicant/contempt petitioner has placed before us a reconstructed copy of the Contempt Petition No.345/2021 in the light of the Writ Department indicating that the contempt petition filed by the petitioner is not traceable.

3. We are, therefore, treating the documents annexed to this civil application and which are independently paginated as 1 to 49, as being the reconstructed file. The Registry shall accordingly record this file as being the reconstructed file of the Contempt Petition No.345/2021.

4. In the light of the above, the civil application is disposed off.

CONTEMPT PETITION NO.345/2021

5. The petitioner has placed on record the compromise terms duly signed by the petitioner and respondent no.4 (6 pages), which are marked as 'X' collectively for identification. In the light of these compromise terms, it is prayed that the contempt petition be disposed off.

6. The learned Advocate representing respondent no.4, who is signatory to the compromise terms, agrees with the statement made by Shri. Patil, the learned Advocate for the petitioner.

7. In view of the above, contempt petition stands disposed off in terms of 'X'.

8. Needless to state, as the State is not a party to the compromise, the terms of the compromise would bind the applicant and respondent no.4 and would not create any financial burden, directly or indirectly, on the State exchequer.

9. Similarly, considering the direction of this Court at paragraph no.37 in the judgment dated 05.04.2021 delivered in Writ Petition No.8439/2018, respondent no.3-District Welfare Officer would also not be liable to shoulder any financial burden.

10. If the petitioner is entitled to regular salary from the date of his reinstatement and in absence of any legal impediment, the competent authority would accordingly pass appropriate orders for clearing the bills.

(ARUN R. PEDNEKER)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE