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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.537 OF 2019

Smt.Rohini Udaykumar Sankpal & Ors. Petitioners

Vs.

The State of Maharashtra and Ors. Respondents

Mr.N.V.Bandiwadekar a/w Mr.Vinayak Kumbhar for the Petitioners

Mr.V.M.Mali, A.G.P. for the State

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JUNE 30, 2022

P.C.

1. The petitioners complain of the order of this court dated 20.02.2019 not being complied. It is contended that the salary from 28.11.2017 to 04.03.2019 is not paid. The petitioners were suspended in November 2017. The petitioners challenge the said order before this court. This court on 21.12.2017 directed parties to maintain status quo. Under order dated 20.02.2019, this court clarified the order of status quo, meaning the order of suspension be kept in abeyance.

2. In light of that, petitioners will be deemed to be not under suspension from December, 2017. The dispute is about payment of salary. The Council where the petitioners were employed earlier had submitted salary bills to the Education Officer. However, Education Officer states that the petitioners were under suspension. The order of suspension was without the concurrence of the Education Officer. As such, Education Officer is not liable to pay the salary. Order of suspension was kept in abeyance by this court. In view of that, order of suspension shall not come into effect from December, 2017. In light of the above, Education Officer ought to have processed the bills of the petitioners and make the payment.

3. The Municipal Council shall submit fresh salary bills of the petitioners for the period 20.02.2019 to 04.03.2019 within four weeks from today. Upon receipt of the said salary bills, Education Officer shall process the same within six weeks thereafter and release the amount accordingly.

4. Contempt Petition is disposed of. No costs.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)