

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1592 OF 2022

Ramesh Shankarrao Pawar ... Petitioner

- Versus -

Smt. Sujata Saunik, IAS,
The then Additional Chief Secretary,
Department of Skill Development &
Entrepreneurship and Another ... Respondents

Mr. Ramesh S. Pawar, Petitioner-in-person.
Ms. K.S. Joshi, In-Charge Government Pleader for Respondent
No.2.

CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.

DATE : 29 MARCH 2022

P.C. :

Heard the Petitioner-in-person.

2. The Petitioner-in-person has filed an Original Application bearing No.71 of 2017 which is pending before the Maharashtra Administrative Tribunal. The Petitioner-in-person had taken out a Contempt Application bearing No.31 of 2020 in the pending Original Application stating that in the reply filed by the Respondent, a stand was taken that request for recalling the departmental enquiry against the Petitioner is under active consideration and appropriate decision would be taken. The Contempt Application was filed stating that even though the statement is made on an affidavit, the departmental enquiry is not cancelled or withdrawn and, therefore, there is a contempt. The Maharashtra Administrative Tribunal has come to the conclusion that there is no contempt as it is only a statement made and further directed that the Original Application be placed for final hearing.

3. Having considered the fact that the Tribunal has opined that the Respondents have not committed contempt of its authority and keeping in mind the status of the Administrative Tribunal under the Constitution of India, we are not inclined to sit in appeal over this decision. Also ultimately it is a matter between the Court and the contempnor. As regards the stand stated to be taken in the reply by the Respondent, it is open for the Petitioner to argue the same in the Original Application when it is taken up for consideration on merits by the Maharashtra Administrative Tribunal.

4. With these clarifications, the Writ Petition is disposed of.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)

Kirtak