

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

CONTEMPT PETITION NO. 184 OF 2022
IN WRIT PETITION NO. 1906 OF 2020

(Smt. Diksha wd/o Devendra Diwate Vs. State of Maharashtra & Ors.)

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

Court's or Judge's order

Shri N.N. Thengre and Ms. Aarti Singh, Advocate for the petitioner.
 Ms. N.P. Mehta, Assistant Government Pleader for the respondent/ State.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : AUGUST 17, 2022.

The petitioner had made an application seeking appointment on compassionate basis. Since the Gram Panchayat was not taking any decision on that request, the petitioner had filed Writ Petition No. 1906/2020. On 19/4/2022, while deciding the said Writ Petition, the following directions were issued :

“Considering the fact that the Petitioner had applied immediately upon the death of her husband and that the same has not been decided for almost two years, the decision be taken on the application of the Petitioner within a period of six weeks and such decision be communicated to the Petitioner.”

Thereafter, on 29/6/2022, the Gram Panchayat has appointed the petitioner as ‘Water Supply Employee’. The petitioner is aggrieved by the temporary nature of the said appointment as well as the fact that the post is not in existence.

We find that what was issued was only a direction to consider the application of the petitioner. The application for appointment on compassionate basis has been considered and a decision thereon has been taken. If the petitioner is aggrieved by the nature of appointment as granted, she is free to challenge the same in accordance with law. It is not a case of disobedience of any direction issued in Writ Petition No. 1906/2020.

With liberty to the petitioner to challenge the order of appointment dated 29/6/2022, the Contempt Petition is not entertained. It is disposed of.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)