

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

CONTEMPT PETITION NO.254 OF 2018
IN
WRIT PETITION NO.2258 OF 2014 (D)

(Hariprasad Deochand Namdeo Vs. Vikram Kahar, Depot Manager, MP Road
Transport Corporation, Nagpur)

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

Court's or Judge's orders.

Mr. R. M. Sharma, Advocate for Petitioner.
Mr. S. G. Zinjarde, Advocate for Respondent.

CORAM: ROHIT B. DEO, J.

DATE: 11th JANUARY, 2022.

According to the respondent – employer all the dues payable to the petitioner, are duly paid.

2. It is in this view of the matter that vide order dated 17.12.2021 the petitioner was asked to place on record calculations to demonstrate that some amount is due and payable.

3. Mr. Rohit Sharma, who appears on behalf of the petitioner states that due to certain difficulties *inter alia* the ill-health of the petitioner, there is difficulty in arriving at the calculations. Mr. Sharma further states that the contempt petition is now pursued by the son of the petitioner since the petitioner is suffering from paralysis and loss of memory.

4. While the court appreciates the predicament of the petitioner, the contempt petition cannot be kept pending indefinitely.

5. In any event there appears to be a dispute on facts. According to the employer the dues are paid. In such a situation, it would be appropriate to close the contempt proceedings with liberty to the petitioner to file a civil suit or take recourse such other remedy as is available in law, to recover the unpaid dues, if at all anything is receivable. The contempt petition is disposed of.

JUDGE

NSN