



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

41 WRIT PETITION NO. 15396 OF 2023

PRAVARA RURAL EDUCATION SOCIETY
THROUGH ITS PRESIDENT AND ANOTHER

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY AND OTHERS

.....Respondents

...
Sr. Advocate for Petitioner : Mr. V.D. Hon h/f. Hon Ashwin Vinayak
GP for Respondents/State : Mr. A.B. Girase

...

CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 18th December, 2023

PC. :-

1. The Petitioners seek to challenge the report dated 26.09.2023 filed by the Joint Director of Education, Pune Division, Pune who is Respondent No.2 in Contempt Petition No.267/2018, before the Coordinate Bench of this Court which has the assignment to deal with the contempt proceedings.
2. We have perused the order of the Coordinate Bench dated 05.07.2023 in Contempt Petition No.267/2018. The relevant paragraphs (paragraph no. 3, 4 and 5) read as under:

“3. According to the petitioner, the order has not been fully complied with. The SLP preferred against the said order has been dismissed. The respondent/institute later-on terminated the petitioner. A separate proceeding has been instituted in that regard.

4. The learned Senior Counsel for the respondent/institute, on the other hand, submits that the order has been complied with. As such, it is a disputed question of fact over the quantum of salary paid to the petitioner in terms of the order dated 27th February, 2017. It would, therefore, be desirable to direct the Joint Director of Higher Education, Pune Division to verify the rival claims and submit his report as to whether the salary of the petitioner has been paid in terms of the order dated 27th February, 2017.

5. The parties shall appear before the Joint Director of Higher Education, Pune Division on 17th July, 2023. His report is expected within three weeks.”

3. We, therefore, find that the report dated 26.09.2023 is clearly an act in compliance of the directions of the Coordinate Bench dated 05.07.2023. Since the report is tendered to the said Court in the contempt proceedings, it would be inappropriate for this Court to exercise jurisdiction and sit over the report to assess as to whether the report is justified or justifiable. As it is a matter of compliance and the report has been tendered before the said Court, we would not exercise our extra-ordinary jurisdiction under Article 226.

4. In view of the above, **this petition is disposed off.**

5. Needless to state, this order would have no bearing on the Contempt Petition No.267/2018.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]