

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

CONTEMPT PETITION NO. 448 OF 2018.

Tohid A. Hamid Shikalgar

.. Petitioner

vs.

Harun Ajij Shikalgar & Ors

.. Respondents

...

Mr. Kuldeep V. Nikam, for the Petitioner.

Mr. R. M. Momin, for Respondent Nos. 1 & 2.

...

CORAM: SANDEEP V. MARNE, J.

DATE : 31 AUGUST 2023.

P. C.:

Digitally
signed by
GANESH
SUBHASH
LOKHANDE
Date:
2023.09.04
11:56:45
+0530

1. This Contempt Petition is filed alleging breach of order of this Court dated 10th February 2017 in Writ Petition No. 4520 of 2016. The Writ Petition was filed by the Management challenging the judgment and order dated 8th March 2016 passed by the School Tribunal. The School Tribunal, while setting aside the termination order dated 30th April 2013, has directed Petitioner's reinstatement with 50% back-wages.

2. The learned counsel for the Petitioner would submit that the Petitioner has been reinstated in service. It appears that during pendency of Writ Petition No. 4520 of 2016, the amount towards 50% of back-wages were also deposited in this Court. The

grievance of Petitioner now is that despite reinstatement, he is not being paid salary. This grievance of the Petitioner would not be covered by the order dated 8th March 2016 passed by the School Tribunal. In that view of the matter, it cannot be stated that breach of order dated 10th February 2017 passed by this Court has been committed by the Respondent-Management.

3. The Contempt Petition is accordingly closed.

4. The Petitioner would be at liberty to file appropriate proceedings in respect of his grievance about nonpayment of salary.

SANDEEP V. MARNE, J.