

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 17 OF 2021
IN
WRIT PETITION NO.9358 OF 2016

Smt. Girija Suresh Borade & Anr. ... Petitioner.
V/S.
Shri Sanjeev Mittal, The General
Manager & Ors. ... Respondents.

.....

Mr. Aniket Malu i/b. Mr. Vishal Shirke for the Petitioner.
Mr. R.R.Shetty for Respondents/ Union of India .

.....

**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 15 December 2023.

P.C. :

This Petition is filed alleging contempt of Judgment and order passed by this Court on 1 March 2019.

**JYOTI
RAJESH
MANE**

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2 By this order the Respondents were directed to consider the Application of the Petitioner for appointment on compassionate basis. Since the order was not complied with, the Contempt Petition has been filed on 4 December 2020. This Contempt Petition was adjourned from time to time. Thereafter, on 4 September 2023 we had deferred the hearing of this Contempt Petition so that remedial

actions could be taken.

3 On 8 November 2023 an affidavit is filed by the Senior Divisional Personnel Officer of Central Railway stating that the order passed by this Court is complied with which fact is also confirmed by the learned counsel for the Petitioner. The appointment of Petitioner is approved on 29 November 2023.

4 We have perused the affidavit and the reasons given in the affidavit for delay. The reason is nothing but procedural requirements. This Court has stipulated time limit for compliance within that period. The order was neither complied with nor any application is made for extension. However considering that the fact any deliberate act of defiance and that now appointment is given to the Petitioner, we do not intend to proceed further in Contempt Petition.

5 We however place our displeasure on record for the insensitivity shown by the Officers. In the matter of compassionate appointments speed is the essence as it is to provide relief to the bereaved family on sudden demise of the employee.

6 The Contempt Petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)