

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 646 OF 2022

Jayram Ranoji Patole
Versus
Ajay Kumar Bhalla
Union Of India,
Through its Secretary
Ministry of Home Affairs & Ors.

...Petitioner

...Respondents

...
Mr. Rajeev N Kumar for the Petitioner.
Mr. Hiten Venegaonkar a/w Mr. Sharat Mirchandani and Mr. Kumar Ali
Shaikh for Respondent No.1-UOI.

...
**CORAM : S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 14th MARCH, 2023.

P.C.:

1 Heard the learned Counsel for the Petitioner. The learned Counsel submits that the Respondents have not complied with the order passed by the Central Administrative Tribunal and confirmed by this Court. This Court while confirming the order of the Tribunal directed the Respondents to comply within three months the order dated 27 October 2021. The said order is not yet complied with.

2 Today the learned Counsel for the Respondent-UOI placed on record the order dated 9 March 2023 which reads thus:

“In compliance to the direction of Hon’ble CAT-Mumbai bench vide judgment dated 20th June, 2008 in OA No.63 of 2008 upheld by the Hon’ble Bombay High Court vide judgment dated 27th October, 2021 in WP No.517 of 2009, Shri Jayram Ranoji Patole, Retired Teacher Grade-I (PGT) is hereby promoted to the post of High School Head Master (i.e. at Level-10 as per 7th CPC) w.e.f. 18th August, 2006 as 08 (eight) of his junior teachers were granted ad-hoc promotion from the aforesaid date and he has missed promotion at that time. Accordingly, increment, retirement benefit, etc. shall also be released by regularising his pension.

This is issued with the approval of Hon’ble Administrator, UT of DNH & DD vide Diary No.988894 dated 14th February, 2023.”

3 The Petitioner has attained the age of superannuation. Under the order dated 9 March 2023 the Petitioner is being promoted to the post of High School Head Master with effect from 18 August 2006. It is further stated that the increment, retirement benefit etc. shall also be released by regularizing his pension.

4 The order further submits that the same is issued with the approval of the Hon’ble Administrator, Union Territory of Dadra and Nagar Haveli and Daman and Diu, Directorate of Education, Shiksha Sadan, Daman.

5 The Respondents shall comply with the directions about increment, retirement benefit, etc. and release the same as per the order of the Tribunal and confirmed by this Court within two months.

6 In case the Petitioner is aggrieved by the order dated 9 March 2023 or further with regard to the quantum of payment being made, it would be open to him to take appropriate steps.

7 The Contempt Petition is disposed of.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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signed by
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RAJALINGAM
KATKAM
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