



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 CONT. PETITION NO. 212 OF 2021
IN WP/630/2020

AJAY SHIVAJIRAO PAWAR

VERSUS

RAVINDRA CHINDHU THAKRE

...

Advocate for the Petitioner : Mr. D.R. Kale h/f Mr. Kiran P. Rathod

AGP for Respondent No. 1 : Mr. M. M. Nerlikar

Advocate for Respondent No. 2 : Mr. S. P. Salgare

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CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 23.04.2024

PER COURT :

The contempt proceeding has been preferred since the respondents were not obeying the directions of this court passed in the petitioner's writ petition not to make recoveries and to pay him salary in accordance with the 7th Pay Commission.

2. The learned advocate for the respondent no. 2 tenders across the bar copy of the order dated 05.10.2023 whereby, pursuant to the directions of this Court order has been passed. He also points out the list of the employees annexed to this order contains the name of the petitioner at Sr. No. 9. The learned advocate would submit that pursuant to the Government resolution the petitioner was expected to file an undertaking in the prescribed form under Rule 6(2)(3) of the Maharashtra Civil Services (Revised Pay) Rules, 2019. He submits that for want of such undertaking he has not been paid the arrears.

3. The learned advocate for the petitioner, on instructions, submits that this insistence of furnishing an undertaking is *de hors* the provisions of law

and petitioner intends to challenge it.

4. As far as compliance of the direction to pass the order is concerned, the order has been duly complied with. The Contempt Petition is disposed of.

5. Needless to state that it would always be open for the petitioner to either furnish the undertaking or challenge the order.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-