



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**119 CONT. PETITION NO. 663 OF 2023
IN WP/3197/2023**

RAJENDRA SO TANAJI MAHAJAN

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

**123 CONT. PETITION NO. 674 OF 2023
IN WP/3197/2023**

YUWARAJ SHIVAJI ROKADE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Petitioner in both petitions : Mr. Navandar Gopal C.

AGP for State in CP-663/2023 : Mr. V.K. Kotecha

AGP for State in CP-674/2023 : Mrs. S.S. Joshi

...

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

DATE : 29 JANUARY 2024

PER COURT :

. By the order of which the petitioners are seeking implementation, the respondent no.3 to 6 were directed to consider and decide the petitioners' representation and communicate the decision.

2. There is a statement in the affidavit-in-reply in paragraph no.3 about the respondent- Project Officer Integrated Tribal Development Project, Nandurbar having, in presence of the petitioners, decided their representation on 07.06.2023 and conveyed it to them.

3. The reply further mentions and makes an endeavour to demonstrate as to how the petitioners were belonging to the Vacation Department and were not entitled to leave encashment.

4. The learned Advocate for the petitioners submits that many similarly placed employees have been granted the same benefit from the same department.

5. Since it is a matter of contempt simplicitor, direction to decide the petitioners' representation having been already obeyed, nothing survives in the contempt petitions. It would always be open for the petitioners to put up a fresh claim on the fresh cause of action by demonstrating that similarly placed employees have been accorded the benefit.

6. Both the petitions are disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

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