



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CONTEMPT PETITION NO.117 OF 2024
IN WP/9823/2022

ANAND SHRAVANA KHADE

VERSUS

SHRI ASHISH YEREKAR

...

Mr. A.S. Khedkar, Advocate for petitioner

Mr. S.A. Gaikwad, AGP for State

Mr. A.D. Aghav, Advocate for respondent Nos.1 and 2

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CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 11th OCTOBER, 2024

ORDER :

1 Heard Both sides.

2 Paragraph No.4 of the order passed by this Court on 27.09.2022
in Writ Petition No.9823 of 2022 runs thus -

“4. In view of the above, this petition is disposed off. Let the petitioner make an online application, preferably within 10 days from today. The Zilla Parishad shall consider the candidature of the petitioner as a local tribal to be deployed in the local tribal area,

which falls in the category of PESA area. Let such decision be taken while dealing with the online application as per the procedure that is presently being followed and preference be given to the petitioner, on the ground that he is a tribal from the local tribal area.”

It is stated that the petitioner should make an online application within 10 days. According to the petitioner, since there was problem with the website he had preferred the application offline and it was accepted.

3 Now, as per the reply affidavit of Mr. Bhaskar Jagannath Patil, the Education Officer (Primary), Zilla Parishad, Ahmednagar following statement is made -

“4. I say and submit that, petitioner has not made the online application, however, offline application submitted by petitioner on 04.10.2022 has been considered and it is decided on 24.07.2023 giving opportunity of hearing to the petitioner on 18.06.2023, request of the petitioner was to give the posting in PESA area, however, there is no vacancy available in the PESA area. It is communicated to the petitioner on 24.07.2023. Copy of the order/communication letter dated 24.07.2023 issued to petitioner by present deponent is annexed herewith and marked as Exhibit ‘R-2’.”

We do not want to enter into the disputed fact as regards whether within the said period of 10 days there was problem for the website or not. Since the application has been accepted and decided, we take that

the order is complied with. If the petitioner is aggrieved by the said decision, then the remedy is elsewhere. No need to take any action under the Contempt of Courts Act. Petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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