



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 CONT. PETITION NO. 378 OF 2024
IN CP/266/2023

RAJSHREE MADHAVRAO JADHAV
VERSUS
SHRI ANIL SABLE

...

Mr. Tukaram Maruti Venjane, Advocate for the Petitioner
Mr. B. M. Dhanure, AGP for Respondents State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 25th June, 2024

ORDER:

1. The order passed by this court dated 12.01.2023 in Writ Petition No. 50 of 2023 (Pallavi Sudhir Phulari & ors. Vs. State of Maharashtra), has been complied with by the Divisional Deputy Director of Education vide order dated 11.03.2024.

2. Grievance of the Petitioner is that the order is not properly passed and the order is not in tune with the directions of this Court. This Court had ordered the said authority to consider the representation of the Petitioner by taking into account the permanent approval granted. The authority has passed the order dated 11.03.2024 by ignoring the permanent approval and by concluding that there are deficiencies in the entire appointment process.

3. In view of the above, we find that the directions to decide the representation has been implemented.

4. Whether the order passed is right or wrong, can be considered in a writ petition, provided the Petitioner challenges it. It is well settled that in contempt petition, the Court is not expected to go into the merits of the compliance. If the compliance has been done, the disobedience would not remain. Whether the compliance has been done in the right manner or in a defective manner, is to be considered, if such compliance is questioned in an appropriate proceeding.

5. In view of the above, **Contempt Petition No. 378 of 2024 is disposed off**, since the Petitioner desires to challenge the order dated 11.03.2024.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan