

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 503 OF 2023
IN
WRIT PETITION NO. 252 OF 2020

Smt Suchita Shirdhar Bhagat

...Petitioner

Versus

State Of Maharashtra and Ors.

...Respondents

.....

Mr. A.R. Kapadnis, Advocate for Petitioner.

Mr. V.M. Mali, AGP Advocate for Respondent Nos. 1 & 2.

Mr. C.G. Ganekar a/w. Rohit Parab, Advocates for Respondent
Nos. 3 & 4.

.....

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by
HUSENBASHA
RAHAMAN
NADAF
Date: 2024.01.18
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CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.

DATE : 11 JANUARY 2024

P.C.:

. Heard learned counsel for the Parties.

2. The Contempt is alleged of the order dated 23 February 2021 in Writ Petition No. 252 of 2020 filed by the Petitioner. As far as direction to the transfer of the Petitioner to School at Alibag is concerned, we are informed that the same is complied with. As regards arrears of the salary, the Division Bench opined it is not possible for the court to scrutinize the evidence and permitted the Petitioner to make representation to Respondent No. 3 - Zilla

Parishad who was directed to decide the representation within reasonable period. The representation is decided. However, according to the Petitioner, the out come is not as per law and facts. This aspect cannot be considered in Contempt Jurisdiction as the Court has left the decision to be taken by Respondent No. 3 therein. It is always open to the Petitioner to initiate substantive challenge to the decision rendered by Respondent – Zilla Parishad. In light thereof, it is not necessary to proceed further to invoke contempt jurisdiction.

3. Contempt Petition is dismissed.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)