

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO.275 OF 2024
IN
WRIT PETITION NO.767 OF 2021**

Sanjay Sadashiv Nikam

...Petitioner

Versus

Cusotm Capsules Pvt. Ltd.

...Respondent

...

Mr. Suresh Sabrad *with Mr. Pratik Sabrad and Mr. Amey Sawant for the Petitioner.*

Mr. R.V. Paranjape for the Respondent.

CORAM : SANDEEP V. MARNE, J.

DATED : 2 MAY 2024.

PC:

1. The Contempt Petition is filed alleging non compliance of order passed by this Court on 24 January 2024 by which this Court directed payment of lumpsum compensation of Rs.25,00,000/- to the Petitioner in Contempt Petition.

2. Albeit with some delay, the Respondent has paid to Petitioner an amount of Rs.20,47,400/- after deducting the balance amount towards taxes. It appears that on account of deduction of taxes, a substantial amount of Rs.4,52,600/- is denied to the

Petitioner. This Court has fixed lumpsum compensation of Rs.25,00,000/- considering the fact that the Petitioner is out of service from 7 March 2017. Thus, lumpsum compensation is being awarded to him in lieu of backwages. Therefore, the amount of Rs.25,00,000/- will have to be considered as staggered wages receivable by Petitioner from 7 March 2017. In that view of the matter, the Respondent shall release the entire amount of Rs.25,00,000/- to the Petitioner and it will be for the Petitioner to satisfy the income tax authorities in respect of his tax liability towards receipt of amount of Rs.25,00,000/- towards staggered wages during the period from 7 March 2017 till 24 January 2024. In that view of the matter, the balance amount of Rs.4,52,600/- shall also be paid by Respondent to the Petitioner within two weeks.

3. With the above directions, the Contempt Petition is closed.

[SANDEEP V. MARNE, J.]