

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

WRIT PETITION NO.11528 OF 2023

Shridhar Govindrao Bhise

: Petitioner.

Vs.

Praveen Kumar Purwar and ors.

: Respondents.

Mr. Mohsin Khan for the Petitioner.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : 02nd MAY, 2024

P.C. :

1. Heard the Learned Counsel for the Petitioner.
2. By instituting this Petition under Article 226 of the Constitution of India, the Petitioner, who is said to have retired from the services of Bharat Sanchar Nigam Ltd. ("BSNL"), challenges an order dated 14th July 2023 passed by the Central Administrative Tribunal, Mumbai Bench, Mumbai ("CAT") rejecting Contempt Petition No.06/2023 instituted by the Petitioner.

3. The Petitioner, after his retirement from the services of BSNL, had instituted Original Application No.507 of 2022 which was finally disposed of with directions to release the pension of the Petitioner with admissible interest in terms of C.C.S. Pension Rules, 1972. Earlier payment of pension to the Petitioner was stayed on account of some complaint that he had obtained employment by producing fake caste certificate, however, the CAT while deciding Original Application No.507 of 2022 by means of order dated 6th October 2022 observed in the said order that the Petitioner had not sought employment as a candidate belonging to reserved category rather he got employment as an open category candidate.

4. The Petitioner instituted Contempt Petition No.06 of 2023 alleging non-compliance of the order dated 6th October 2022 passed in Original Application No.507 of 2022. The said Contempt petition has been dismissed by the CAT by means of Order dated 14th July 2023 wherein it has been observed by the CAT that a charge-sheet has been issued to the Petitioner for not

producing caste scrutiny certificate despite having been directed to produce the same, and it is in these circumstances that it cannot be said that the Respondents have defied the order passed by the Tribunal, dated 6th October 2022 deliberately.

5. We do not see any illegality in the Impugned Order passed by the CAT for the reasons indicated therein and also for the reason that the Chief General Manager, BSNL, Maharashtra Telecom Circle, in his order dated 25th May 2023, has sanctioned provisional pension to the Petitioner under the Rules on the ground that against the Petitioner a complaint regarding false/fake caste certificate is pending. The CAT has observed in the Impugned Order that an inquiry has been instituted, which fact is not denied by the Learned Counsel for the Petitioner.

6. In view of the aforesaid, we do not see any good ground to interfere in the Impugned Order passed by the Tribunal. The Writ Petition is thus dismissed. However, we may observe and direct that the concerned authority shall expedite

the departmental proceedings said to have been instituted against the Petitioner and conclude the same, with expedition, say within a period of four months from the date a certified copy of this order is produced before the competent authority.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)