

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 421 OF 2024

Vasant Kisanrao Ghare

.. Petitioner

Versus

Vishnu Tambe, Secretary of Sant Tukaram
Maharaj Shikshan Sanstha and Ors.

.. Respondents

-
- Mr. Rahul Kadam a/w. Mr. Vedant Babar, Advocates for Petitioner.
-

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 23, 2024.

P.C.:

- 1.** Heard Mr. Kadam, learned Advocate for Petitioner.
- 2.** Mr. Kadam has drawn my attention to the judgment dated 19.12.2022 passed in Appeal No.15 of 2020 by the School Tribunal, Pune wherein the direction given to Respondent Nos.1 and 2 to comply with the said order within 30 days from the date of judgment.
- 3.** Mr. Kadam in his usual fairness would submit that the said decision of the School Tribunal has been challenged by Respondent Nos.1 and 2, but there is no stay granted by the Court therein. He would submit that they have simplicitor filed the Petition and have kept it pending. The order directing Respondent Nos.1 and 2 to comply with is in two parts. In so far as the issue of reinstatement is concerned, the same has not been done. Neither there is a stay on the same.

4. Mr. Kadam would inform the Court that with respect to backwages and consequential benefits, Petitioner has not filed any execution proceedings as yet.
5. On perusal of the said order and the averments made in the Contempt Petition, an arguable case has been made out by Mr. Kadam for issuance of notice.
6. Hence, issue notice to Respondents. Humdast permitted.
7. In addition to Court notice, Petitioner is permitted to serve a copy of the Contempt Petition and this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.
8. After receiving notice, Respondents are directed to take cognizance of this order and file their Affidavit-in-Reply on or before the next date, if so desired.
9. Respondents are directed to remain present in Court on the next adjourned date either by themselves or through Advocate.
10. Stand over to 13th November 2024.

[MILIND N. JADHAV, J.]

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Date: 2024.10.23
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