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912.2-CP-94-2013

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CONT. PETITION NO. 94 OF 2013
IN WP/8184/2005**

Bhausahab Shripati Pawar

.....Petitioner

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....

Mr. Rajendra P. Phatke h/f Mrs. Vaishali Shinde (More), Advocate
for petitioner

Mr. N.S. Tekale, AGP for State

Mr. S.S. Thombre, Advocate for respondent No. 1 to 12 and
respondent No. 16

WITH

**CIVIL APPLICATION NO. 3445 OF 2015
IN CP/94/2013**

WITH

**CIVIL APPLICATION NO. 5844 OF 2025
IN CP/94/2013**

.....

**CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 18th JUNE, 2025

ORDER :

1. In Writ Petition No. 8184/2005, this Court has given
following directions;

*"6. This petition is allowed and the respondents No.-
4 to 6 are directed to give benefits to the petitioner as
per the recommendations of the Vth Pay Commission*

with all consequential benefits with effect from 28.04.1999. The arrears of salary, as per the recommendations of the Vth Pay Commission be paid to the petitioner within 6 Month's from today, the arrears shall carry interest @ 10% p.a. after 6 Months of the date of this judgment till the arrears are actually paid to the petitioner. Rule is thus made absolute on the terms indicates above with no order as to costs."

2. In terms of the directions of this Court, since the arrears of petitioner were not paid, the land belonging to respondent Institution namely Shri Shivaji Shikshan Prasarak Mandal was put for auction and it was sold for a consideration of Rs.8,05,00,000/- on 15th May, 2025.

3. Authorised officer of the said Institution has addressed the letter dated 30th May, 2025 to their Advocate informing that 31 R land of the Institution out of Survey No.416/1/B was auctioned by the Tahsildar in terms of order passed by this Court on 10th March, 2025 for consideration of Rs.8,05,00,000/-. Thereafter, on 31st May, 2025 Election of the Sugar Factory which is the parent body of the Institution has taken place. Request is made to bring to the notice of this Court that till the dues of the petitioner are paid non-salary grants of the Institution were stopped. Since the dues are being cleared

the non-salary grants may be directed to be paid. After clearing dues of Rs.1,28,00,000/- of the petitioner and similarly situated petitioners in connected contempt petitions, remaining amount of sale be deposited in the current account of the Institution for payment of dues of other employees of provident fund, dues of the Institution and to augment essential facilities in all the Schools run by the Institution. The said letter is marked as Exhibit-'X' for identification purposes.

4. In the light of above, we direct the respondent Tahsildar and Education Officer to calculate 10% interest on the arrears to be paid to the petitioner and then pay the dues of the petitioner and other petitioners in connected contempt petitions. The remaining amount be deposited in the current account of the respondent Institution, details of which are mentioned in letter at Exhibit- 'X'.

5. With the above directions, Contempt Petition stands disposed of.

6. In view of disposal of contempt petition, pending civil applications stand disposed of.

(SANDIPKUMAR C. MORE, J.)

(NITIN B. SURYAWANSHI, J.)