



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 CONT. PETITION NO. 139 OF 2023
IN WP/10534/2019

Indira Madhav Mehetre

VERSUS

Vikas Rastogi

...

Mr. Balaji B. Yenge - Advocate for the Petitioner [Absent]

Mr. S. J. Salgare - AGP for Respondent/State

Mr. P. B. Kulkarni h/f Mr. M. D. Narwadkar – Advocate for Respondent
No. 3

...

CORAM : R. G. AVACHAT

AND

NEERAJ P DHOTE, JJ.

DATED : 07TH MARCH, 2025

PER COURT : -

1. None for the Petitioner.
2. This Contempt Petition is filed for non-compliance of the order dated 16.09.2022 passed in Writ Petition No. 10534 of 2019. The operative order reads thus :

“ORDER

- (I) The writ petition is allowed by holding that the petitioner’s husband is deemed to have come over on to the pension scheme and he would not be governed by the C.PF Scheme. Consequentially the petitioner is entitled to receive family pension from the date of death of her husband i. e. with effect from 01.06.2014. She would also be entitled to receive all other retiral benefits payable as per Rules.*
- (II) For such switch over from C.PF scheme to Pension scheme, the petitioner is liable to pay an amount of Rs.7,35,165/- towards employer’s contribution to C.PF including the component of interest.*

(III) The amount of Rs. 7,35,165/- be adjusted against the amount towards arrears of family pension payable to the petitioner. Therefore, the respondents shall not insist on actual deposit of amount of Rs. 7,35,165/- and after calculating amount of arrears of family pension and other pensionary benefits, such amount of Rs. 7,35,165/- be adjusted therefrom.

(IV) After deducting the amount of Rs. 7,35,165/- from such arrears, the balance amount of family pension and other pensionary benefits be paid to the petitioner within a period of four (04) months from today.

(V) Rule is made absolute in above terms. No costs.”

3. It is brought to our notice by the learned AGP for Respondent Nos. 1, 2 and 4 that the Family Pension has been processed and the amount of Rs. 1,26,674/- per month towards family pension is being paid to the Petitioner. A copy of letter dated 28.05.2024 addressed to the learned Government Pleader, Aurangabad Bench, by the Joint Director of Higher Education, Nanded Division, Nanded is placed on record. The said communication also states that the amount of Rs.94,84,619/- has been paid to the Petitioner towards the arrears of the C.PF..

4. In view of the above, we see that the order is complied with and hence, the Contempt Petition stands disposed of.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE