



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

**964 CONT. PETITION NO. 164 OF 2024
IN CA/4667/2023**

Manshi W/o Vikram Bhagwat and Ors.

...Petitioners

VERSUS

The Presidency Secretary Saint

D. Salels Education Society and Anr.

.....Respondents

.....

Mr. Andhale Sandip Ramnath, Advocate for the Petitioner

Mrs. Uma S. Bhosale, AGP for the Respondents - State

Mr. Kadam Vikram Sahebrao, Advocate for Respondent Nos.1 and 2

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**CORAM : R. G. AVACHAT &
NEERAJ P. DHOTE, JJ.**

DATE : 23.01.2025

PER COURT :

1. This Contempt Petition is filed for non compliance of the order dated 04/04/2022 passed by this Court in Writ Petition No.2094/2021, which read as under :

“1. The petitioners are before us with a grievance that due to Covid-19 pandemic and the national lock-down from 24th March, 2020, several parents of the students were unable to pay the fees. The Government came out with a Government Resolution dated 30-03-2020, directing the School Management/s to exempt the parents from payment of tuition fees and other school fees by showing sympathy. They were also advised to have patience and to avoid being harsh with the parents for the purpose of recovery of unpaid school fees.

2. Considering the affidavit-in-reply filed by the school management, which is an unaided school, it is pointed out that the financial resources of the school began depleting and consequently the stage has come when some of the teaching and non-teaching staff members were paid 50% of their monthly salaries for some period. After unlocking and withdrawal of the lock-down restrictions and after the school attendance moved from on-line process to off-line process permitting physical presence in the school, the management has started recovery of unpaid fees in a staggering manner.

3. The learned Advocate for the management submits that recovery of the unpaid fees is being taken up earnestly and it would be by the end of March 2023, that the recovery exercise would be completed and arrears of the salaries of the teaching and non-teaching staff would also

be cleared. Such is the statement made in paragraph No. 8 of the affidavit-in-reply filed by the Headmaster of the concerned school.

4. We have no doubt that Covid-19 pandemic has affected the entire world. People from the middle class and the lower middle class were affected the most. Several people lost their jobs and many families could not support the daily family needs and expenses. This has been unprecedented and in unprecedented times people have suffered to quite an extent. This petition is one example of such sufferance. However, since the management is now at liberty to recover the fees in view of the restrictions having been lifted by the State Government and as they are expected to recover the outstanding fees in a staggered manner, the grievance of these petitioners would stand satisfied by March 2023.

5. Considering the above, we do not find that it would be appropriate for us to issue some orders to the respondent- Management in the face of there being no allegations of nepotism and favoritism. Even the affiant Headmaster himself is drawing 50% salary as like the petitioners.

6. As such, in view of the statement made by the management that the arrears of fees would be recovered and arrears of the salaries would be paid, this petition is disposed off.”

2. Learned Advocate for Respondent Nos.1 and 2 submits that, the above referred order is duly complied with as the arrears of salary have been paid. This aspect is not disputed by the learned Advocate for the Petitioner.

3. The learned Advocate for the Petitioner submits that, in view of the chart prepared by the Education Officer, the Petitioners are not paid salary from February – 2024.

4. The above order of which Contempt is alleged was in respect of arrears of salary, which is admittedly paid. As regards the said issue of non payment of salary from February – 2024, the Petitioner can avail appropriate remedy as per law.

5. Contempt Petition stands disposed of accordingly.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]