

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 378 OF 2015
IN
WRIT PETITION NO.3640 OF 2010

Dr. Deepak Limbaji Chougule	]	Petitioner
versus		
Subhash @ Chandrakant Shripatrao	]	
Bondre (deleted)	]	
Vijayrao Shripatrao Bondre	]	
Secretary of Shri Shahu Chhatrapati	]	
Shinshan Sanstha, Kolhapur.	]	Respondent

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Mr. Kalpesh Patil, for Petitioner.

Mr. A.A. Naik, A.G.P, for Respondent – State.

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CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ

DATE : 29th SEPTEMBER, 2025.

ORAL ORDER: [PER M.S. KARNIK, J.]:

1. Heard Mr. Patil, learned Counsel for the petitioner and Mr. Naik, learned A.G.P, for respondent – State.

2. This Contempt Petition was filed for breach of the order dated 1st February, 2011 passed by this Court in Writ Petition No.3640 of 2010.

Relevant portion of the order reads thus;

“3. As regards the other grievance, the learned counsel for the petitioner states that the respondent No.3-college does not pay salary to the petitioner regularly and that very often, the delay is of months. The learned counsel for the respondent No.3-college has relied on the affidavit-in-reply dated 31st January, 2010, wherein it is stated, inter-alia, as under :

“10. I state and submit that the approved fee, as decided by the Shikshan Shulka Samiti, for the first year students is Rs.25,000/-. I state that sometimes there is delay on the part of the students in payment of fees. Thus I state that less number of students, low fee coupled with the problem of students paying their fees late, sometimes results in payment of salary to the staff becoming irregular. However I categorically state that there has been no default on the part of the respondent no.3 society in payment of salary to the staff and the fact that the petitioner, by his own saying is working in the college for more than 20 years is itself evident of the fact that the college has never defaulted in the payment of the salary to the staff.”

4. The learned counsel for the respondent No.3-college further states that the petitioner will be paid salary on the same date on which other members of the teaching staff of respondent No.3-college will be paid salary.

5. Respondent No.3-college shall also endeavour to make regular payment of salary to the petitioner and other members of the teaching staff. In case of any default or delay on the part of the management, it will be open to the petitioner and other aggrieved parties to move the appropriate authority.

6. In view of the above, the petition is disposed of after recording the above statements and in terms of the above observations and directions”.

3. This Contempt Petition was filed on 9th July, 2015. It is not in dispute that the petitioner has been paid salary upto September, 2022. When the Contempt Petition came up for hearing today, learned Counsel for the

petitioner submits that the petitioner has retired in March, 2023. It is his grievance that since October, 2022 to March, 2023, the petitioner has not been paid salary. Learned Counsel for the petitioner submitted that the Grievance Committee had in fact issued direction to respondent – college to pay salary for the period from October, 2022 to March, 2023. It is expected of the respondent – college to pay salary of the petitioner for the period from October, 2022 to March, 2023 in terms of the directions of the Grievance Committee as expeditiously as possible.

4. If the salary which is due and payable to the petitioner is not paid within a period of two months from the date of communication of this order, it is open for the petitioner to take appropriate steps for compliance of the orders passed by the Grievance Committee as well as this Court. However, so far as the reliefs as prayed for in the present Contempt Petition are concerned, we find that there has been substantial compliance and, therefore, we are not inclined to keep the present Contempt Petition pending any further. It is open for the petitioner to resort to appropriate remedies including again seeking contempt if the salary payable to the petitioner is not paid within a period of two months from the date of communication of this order.

5. In view of these observations, Contempt Petition is disposed of.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]