

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO. 211 OF 2023
IN
WRIT PETITION NO. 6973 OF 2019**

Sudhakar Narhari Shinde .. Petitioner

Versus

Ranjit Singh Deol, Secretary,
Education and Sports
Department and Ors. .. Respondents

Mr. Chetan G. Patil a/w Mr. Mandar Baglekar, Advocates for the
Petitioner.

Mr. B. V. Samant, Addl.G.P, a/w Mr. V. M. Mali, AGP for the
Respondent Nos. 2 and 5.

**CORAM: SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATED : 29th JULY 2025

P.C.:

This contempt case has been laid alleging willful and
intentional violation of order dated 22nd February 2022 by which
Writ Petition No. 6973 of 2019 was disposed of with the following
directions:

*"5. Respondent No. 1 is directed to decide the proposals
sent to it by Respondent No. 5 seeking sanction to the
newly created posts vide proposals dated 13/03/2014,
15/04/2014, and 13/5/2014, in accordance with law, at
the earliest and in any case within four weeks from the
date of receipt of this order.*

*6. We further direct Respondent No. 5 to decide the
issue at the earliest and in any case within 15 days from*

the date of receipt of the decision of Respondent No. 1 on the above referred proposals."

2. Mr. Chetan G. Patil, the learned counsel for the petitioner submits that the petitioner who was working since 2nd September 1992 and the full-time post was created in the academic year 2008-09 in respect to which this Court in its order dated 22nd February 2022 issued a direction for taking necessary action and granting sanction to the newly created post in terms of the proposal forwarded to the respondent no. 5, but the petitioner was appointed in a different school and not to the post that was created for the academic year 2008-09.

3. In the reply affidavit the respondent no. 5 has stated thus:

*"4. I say and submit that the proposal of the Petitioner for sanctioning a new post was approved vide Government Resolution dated 7.3.2024. The Petitioner's appointment is approved in Venutai Chavan Junior College run by Shriram Education Society, Phaltan. The said institution did not allow the Petitioner to join at, Venutai Chavan Junior College, Phaltan as there were discrepancies in the details of the institute mentioned in above Government Resolution. Since there was no time left for carrying out a correction in the Government Resolution dated 07.03.2024, the Dy. Director Education, Kolhapur vide its Order dated 27.03.2024 directed Chairman/Secretary of Khandala Vibhag Shikshan Samiti, Dist. Satara to appoint the Petitioner on the vacant post in their school Rajendra Higher Secondary School, Tal. Khandala. Hereto annexed and marked as **Exhibit R-1** is a copy of the Government Resolution dated 7.3.2024 and **Exhibit R-2** is a copy of the Order dated 27.03.2024."*

*5. I say that the Principal of Rajendra Higher Secondary School, Tal. Khandala, District Satara has forwarded proposal dated 21.06.2024 for creating Shalarth ID and taking further steps to disburse the arrears payable to the Petitioner. Hereto annexed and marked as **Exhibit R-***

*3 is the copy of proposal dated 21.06.2024. The above proposal is forwarded to the Divisional Chairman, Maharashtra State Board of Secondary and Higher Secondary Education, Kolhapur Division. I say that further steps will be taken on receipt of necessary approval from the Divisional Chairman, Maharashtra State Board of Secondary and Higher Secondary Education, Kolhapur Division. Hereto annexed and marked as **Exhibit R-4** is the copy of letter dated 21.06.2024 issued to Divisional Chairman, Maharashtra State Board of Secondary and Higher Secondary Education, Kolhapur Division by the Deputy Director of Education, Kolhapur Region, Kolhapur.*

4. As we gathered from the materials on record, and even accepting the plea on behalf of the petitioner regarding inordinate delay and disobedience on the part of the respondent no. 5 in complying with the direction issued by this Court in Writ Petition No. 6973 of 2019, we are not inclined to proceed further with this contempt case. It is by now well settled that delay in complying with the Court's order is not a ground to proceed further in a contempt case. Moreover, we find no plausible reason why the petitioner has approached this Court almost a decade after the post was sanctioned for the academic year 2008-09.

5. Contempt Petition No. 211 of 2023 is dismissed.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]