

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 112 OF 2024

Neeta Sanjeev Dighe ... Petitioner
versus
The State of Maharashtra & Ors. ... Respondents

Mr.Mihir Desai, Senior Advocate i/b. Ms.Devyani Kulkarni for the
Petitioner.

Mr.Vaibhav Charalwar, 'B' Panel Counsel for Respondent Nos. 1 to
3, State.

Mr.Rui Rodrigues for Respondent No.4.

CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.

DATE : 7th February, 2025

P.C. :-

1. This Court delivered a judgment on 13th April, 2022 in
Writ Petition No. 3831 of 2012. The effective directions below
paragraph 24, read as under :

*“24. In view of aforesaid observations, following
order is expedient;*

: O R D E R :

- 1. The petition is allowed;*
- 2. The impugned order dated 6th August, 2011
passed by respondent No.1 is quashed and set
aside;*
- 3. Respondents No.1, 2 and 3 are directed to de-
reserve the post occupied by the petitioner and
regularize the petitioner's service to the said post*

with effect from 21st August, 1991 along with all consequential benefits including confirmation with effect from 20th August, 1993.

4. The respondents are directed to pay salary, arrears and other emoluments, if any, due and payable.

5. Rule is made absolute in the above terms;

6. The Petition is disposed of.”

2. We have heard the learned Senior Advocate on behalf of the Petitioner and the learned ‘B’ Panel Counsel on behalf of Respondent Nos. 1 to 3, State.

3. Considering the submissions and the facts that emerge from the record, Respondent No.2, Shri Vikas Chandra Rastogi, at this stage, apparently did not have a role to play since Respondent No.3, Dr. Keshav Tupe, did not forward the proposal to his office. Therefore, leave to delete the name of Respondent No.2. Deletion be carried out forthwith.

4. Glaring facts are before us. The judgment of this Court is dated 13th April 2022. Dr.Keshav Tupe did not comply with the directions reproduced above, till 6th November, 2023 when he was transferred as a Joint Director of Higher Education, Amravati

Division. Dr.Vijay Narkhede assumed charge on 26th February, 2024. Even he did not care to comply with this order.

5. Leave to add Dr.Vijay Narkhede as Respondent No.2. Addition be carried out forthwith. The address of Respondent No.3, as per the present designation/posting, be added in the cause title, forthwith.

6. The learned Senior Advocate for the Petitioner informs us that the Petitioner superannuated on 31st January, 2025. Until then, she was not granted any reliefs.

7. The learned 'B' Panel Counsel submits that Dr.Vijay Narkhede, Respondent No.2 herein, has tendered an affidavit stating therein that a part of the order has been complied with on 7th October, 2024. The University has, thereafter, forwarded the proposal and the pension papers have been forwarded on 27th January, 2025.

8. What we find is a growing tendency to disobey the orders of the High Court and especially by Government Officials. In hundreds of cases, they get away with tendering an apology and by

complying the orders, after a long period. We have also been patient and considerate with them by accepting such apologies and pardoning them. Probably, because of the pragmatic approach of the Courts, such Officers disobey the order of the Court and yet get away with it by simply saying sorry.

9. In the instant case, the lady Petitioner did not receive the benefits to which she was entitled, for three years. She eventually retired without getting the benefits.

10. In view of the above, **issue notice** to Respondent Nos. 2 and 3, in the format prescribed under the Contempt of Courts Act, 1971, returnable on **17th March, 2025**. The learned 'B' Panel Counsel, waives service of notice on behalf of Respondent no.3. Respondent no.2 is at liberty to file his affidavit in reply ten days prior to the returnable date.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)