

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 624 OF 2024

IN

WRIT PETITION NO. 2923 OF 2022

Nilima Prabhudas Padvi

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Bhushan Jadhav i/by Mr. Mandar Bagkar, Advocate for the
Petitioner.

Ms. Pooja Joshi, AGP for the Respondent/State.

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

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DATE : 5th FEBRUARY, 2025

P.C. :-

1. On 29th November, 2024, we had issued notice in the format prescribed under the Contempt of Courts Act, 1971. The returnable date was 18th December, 2024. On 18th December, 2024, due to paucity of time, the matter was not called out. The notice on Respondent No.5, was not served on 14th December, 2025.

2. The learned AGP submits that Respondent No.5 was present in the Court on 18th December, 2024. Today he is not present in the Court because he is in a training programme and submits that

he would appear after his training, on 17th February, 2025 at 2:30 p.m. However, she submits that the order at issue has already been complied with and an unconditional apology affidavit has also been tendered at Page Nos.66 to 72

3. Notwithstanding the apology tendered, we find that the contents of the affidavit under Paragraph No.4, are in fact a lame excuse trying to camouflage his delay of more than two years in obeying the order of this Court, by contending that in a matter pertaining to the applicability of TET, the Hon'ble Supreme Court had granted status quo. The order of this Court dated 15th March, 2022, was on the specific facts of this case, wherein the Petitioner's approval was intact and Shalarth-ID was just a formality to ensure the payment of salary through the Shalarth Portal. *Prima facie*, we find that the said Deputy Director of Education, Mr. Mahesh Jagannath Chothe, has tried to mislead the Court.

4. We record the statement of the learned AGP that Mr. Mahesh Chothe will remain present in the Court, on **17th February, 2025 at 2:30.**

5. List this Petition on 17th February, 2025 at 2:30.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)