

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.236 OF 2024

Pratiksha Pundlik Mahalunge ... Petitioner

Vs.

Shivdatta Dnyanprasarak Mandal through President
Secretary Sainath Laxman Mhatre ... Respondent

WITH
INTERIM APPLICATION NO.16 OF 2025
IN
CONTEMPT PETITION NO.236 OF 2024

Mr. Vaibhav Kadam a/w. Mr. Shrinath Badade, Ms. Shweta Jadhav, Ms. Vedika Bhoir and Mr. Mangesh Shinde for Petitioner.

Mr. Jitendra Oak for Respondent.

CORAM : MANISH PITALE, J.

DATE : JUNE 16, 2025

P.C. :

. In this petition alleging contempt of undertaking given to this Court in the order dated 30.10.2023, whereby Writ Petition No.7697 of 2023 was disposed of, an order was passed on 24.06.2024 recording a statement made on behalf of the alleged contemnor / respondent No.1 that amount due and payable to the petitioner would be deposited in this Court. The record shows that in pursuance of the said order, an amount of Rs.7,45,820/- was deposited by the said respondent in this Court.

2. Having heard the learned counsel for the parties, despite admitted position that after disposal of Writ Petition No.7697 of 2023, enquiry was conducted against the petitioner and she was found guilty with a penalty of reduction in rank from Head Mistress to Assistant Teacher being imposed, this Court is of the opinion that the undertaking given to this Court leading to disposal of Writ Petition No.7697 of 2023 *prima facie* appears to have been violated by the contemnors / respondents. The

affidavit filed on behalf of the respondent Trust, undertaking that upon the Deputy Director passing an appropriate order on the question of back-wages concerning the petitioner, the amount would be paid to the petitioner within 15 days, shows that such an amount ought to have been paid within the said period. Despite the respondent Trust having a right to challenge the determination by the Deputy Director, it appears that no such challenge has been raised till date and in any case, the said undertaking *prima facie* appears to have been violated.

3. In view of the above, amount deposited in this Court is directed to be released in favour of the petitioner within two weeks from today.

4. The Registry shall take necessary steps at the earliest. The petitioner shall provide details of her bank account to the Registry within a week from today.

5. In view of the aforesaid direction, Interim Application No.16 of 2025 filed by the petitioner for withdrawal of the aforesaid amount does not survive and the same is disposed of accordingly.

6. The contempt petition shall now be heard on 22.07.2025.

(MANISH PITALE, J.)

Minal Parab