

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.639 OF 2024**

Dnyansagar Shikshan Prasarak
Mandal & Ors.

....Petitioners

Versus

Smt. I.A. Kundan & Ors.

....Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w. Mr. Vinayak R. Kumbhar, Mr. Rajendra B. Khaire and Mr. Aniket S. Phapale i/b. Mrs. Ashwini N. Bandiwadekar for the Petitioners.
Mr. P.P. Kakade, Addl. GP a/w. Mr. V.M. Mali, AGP for the State.
Mr. Suresh M. Kamble for Respondent No.2.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.
DATE : 12th MARCH, 2025**

P.C. :-

1. By an order dated 17th August, 2022, this Court [Coram : S.V. Gangapurwala (as His Lordship then was) and Madhav J. Jamdar, JJ.] had ordered in the first Contempt Petition No.297 of 2022, that because a statement was made by the Ulhasnagar Municipal Corporation School Board that approval has been granted to Petitioner Nos.2 and 3. This Court directed Respondent No.2, Divisional Deputy Director, Education, Mumbai Mr. Sandip Sangave, to include the name of the Petitioner in the Shalarth ID in the light of the order passed by the Writ Bench on 29th September, 2021 in Writ Petition No.6537 of 2014, within three weeks.

2. We can imagine the plight of the employees. The Petition was filed in 2014. The order was passed on 29th September, 2021 granting three weeks time. Then the first Contempt Petition No.297 of 2022, wherein time was granted on 17th August, 2022. By showing magnanimity, this Court disposed off the Contempt Petition. When two weeks time was granted to forward the Shalarth ID proposal to the Deputy Director, Education, who was given three weeks time to grant the Shalarth ID and three months time to make the payment of the arrears of salary, the order by the said Deputy Director is passed on 6th March, 2025, after the Petitioner lodged this Contempt Petition, on 22nd October, 2024.

3. To say the least, we find a growing tendency in not only disobeying the order of the Writ Court, but even after the Contempt Petition is disposed off, by giving an opportunity to the Accused Contemnor to obey the order, yet the order is not obeyed.

4. Since this is the second contempt for the disobedience of the order passed in the first Contempt and the disobedience of the order of the Writ Court continued, we make it clear that in this matter, we would not entertain a request for pardon or leniency and we would not accept an apology from the said Authority, namely,

Mr. Sandip Sangave. Infact, it appears that the Accused Contemnor has acted vindictively by not only refusing the Shalarth ID, but even passing an order on 16th October, 2024 directing the Education Officer, Secondary, Zilla Parishad, Thane, to declare Petitioner No.2 as surplus.

5. List this Petition on 4th April, 2025 at 2.30 p.m. for framing of charge against Respondent No.2 Mr. Deepak Dhangar and Respondent No.4 Mr. Sandip Sangave.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)