

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

(SR.NO.919) CONTEMPT PETITION NO.667 OF 2024

Vasant Hiralal GurodaPetitioner

versus

The State of MaharashtraRespondent

WITH

(SR.NO.920) CONTEMPT PETITION NO.668 OF 2024

Anantrao Bhimrao MundhePetitioner

versus

The State of MaharashtraRespondent

WITH

(SR.NO.921) CONTEMPT PETITION NO.672 OF 2024

Navnath Kisan NavalePetitioner

versus

The State of MaharashtraRespondent

WITH

(SR.NO.922) CONTEMPT PETITION NO.673 OF 2024

Bhausahab Pandharinath GudghePetitioner

versus

The State of MaharashtraRespondent

WITH

(SR.NO.923) CONTEMPT PETITION NO.674 OF 2024

Prabhakar Sukdeo Shelar

....Petitioner

versus

The State of Maharashtra

....Respondent

WITH

(SR.NO.924) CONTEMPT PETITION (ST.) NO.33890 OF 2024

Subhash Chandar Sapate

....Petitioner

versus

The State of Maharashtra

....Respondent

Mr. Pramod Kulkarni for the Petitioner (Through V. C).

Mr. B. V. Samant Addl. G. P a/w Ms. Pooja Joshi AGP for the State in CP/667/2024.

Mr. N. C. Walimbe, Addl. G.P a/w Mr. V. G. Badgujar AGP for the State in CP/668/2024.

Mr. Kedar Dighe Addl. G. P. a/w S. P. Kamble, AGP for the State in CP/672/2024.

Mr. P.P. Kakade Addl.G.P. with A.C. Bhadang, AGP for the State in CP/673/2024.

Mr. B.V. Samant Addl. G. P. a/w Ms. D.S. Deshmukh AGP for the State CP/674/2024.

Mr. Kedar Dighe Addl. G. P a/w A. R. Deolekar AGP for the State in CP(st.)/33890/2024.

Ms. Sarita Hajare, Deputy Director, Health Services present.

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

DATE : 25th FEBRUARY, 2025

P.C. :-

1. These Contempt Petitions have been preferred by these Petitioners, for the second time. Earlier, this Court had delivered an order on 27th September, 2024 in Contempt Petition No.147 of 2024 and group of such petitions (Subhash Chandar Sapate and Ors. Vs. State of Maharashtra and Ors). In paragraph No.18 of the said order, it was recorded as under:-

“18. In view thereof, it goes without saying that because these drivers have been engaged to perform duties with the Zilla Parishads, it is the look out of the Zilla Parishads to ensure that their monthly salaries as per the directions of this Court in Ashok Dhondiba Meher (supra) which judgment has been sustained by the Hon’ble Supreme Court, are paid at the minimum of the pay scale at the lowest grade, in the regular pay scale extended to the regular employees holding the same posts. Such regular payments of the minimum wages shall commence from the pay day in the month of October 2024 and shall be continued uninterruptedly, failing which, the Petitioners would be at liberty to initiate Contempt of Court proceedings and in which case, we would be treating it to be aggravated contempt proceedings.”

2. The learned Additional Government pleader has taken specific instructions from Dr. Sarita Hajare, Deputy Director Health Services, who is present in the Court hall. An apology is tendered for the delay caused and for which the Petitioners had to file the Contempt Petitions for the second time. However, she is instructed

to submit that considering the elections in the State of Maharashtra and the change in administration, as well as the paucity of funds, the orders could not be complied with. The State has directed the concerned Deputy Director of Health Services to make a statement in the Court, that within 45 days, the arrears and dues of the Petitioners would be cleared. There would be no occasion for them to once again approach this Court by filing contempt proceedings.

3. We called upon the learned Advocate for the Petitioners to respond to the above statement. He submits on instructions from the Petitioners that they are not interested in punishing any Officer. They desire that the orders in their favour should be implemented and they should get the fruits of litigation. He further submits that the Petitioners would pardon the accused contemnor on this occasion. However, if they are compelled to once again file Contempt Petitions, this Court should take a very serious view of the matter. We agree with the anxiety expressed by the learned Advocate.

4. In view of the above, **all these Contempt Petitions are disposed off.**

5. We strike a note of caution that if the Petitioners are once again compelled to prefer Contempt Petitions, we would not show any leniency and we would proceed to initiate actions under the provisions of the Contempt of Courts Act, and in which circumstances, any apology either written or oral from any of the concerned Officers, would not be accepted.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J)