

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 648 OF 2025
IN
WRIT PETITION NO. 9768 OF 2019**

Machhindra S/o. Vishnu Kolte & Ors. ... Petitioners
versus
Eknath Dawle, Secretary,
Rural Development & Water Conservation
Department, Mantralaya & Ors. ... Respondents

**AND
CONTEMPT PETITION NO. 649 OF 2025
IN
WRIT PETITION NO. 8784 OF 2018**

Riyaz s/o. Hamidbhai Momin & Ors. ... Petitioners
versus
Eknath Dawle, Secretary,
Rural Development & Water Conservation
Department, Mantralaya & Ors. ... Respondents

...

Mr.Sandeep B. Sontakke for the Petitioner in both the Petitions.

Mr.P.P.Kakade, Addl.GP with Mr.A.K.Naik, AGP for the Respondent -State
in CP No. 648 of 2025.

Mr.P.P.Kakade, Addl.GP with Ms.N.M.Mehra, AGP for the Respondent -
State in CP No. 649 of 2025.

Mr.Ratan L. Adhe i/b. Mr.Pankaj P. Deokar for Respondent Nos. 2 and 3-
Zilla Parishad.

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

DATE : 29th September, 2025

P.C.:-

1. The Writ Bench passed a common order on 31st July 2024,
recording in paragraph nos. 3 to 5 as under:

“3. The learned Counsel for the Petitioners has placed on record an order of 25 January 2019 passed by the Aurangabad Bench of this Court in a group of Writ Petitions. He submits that the identical questions were raised and the Division Bench directed the Zilla Parishad to ascertain certain position and decide the case of the Petitioners teachers individually. A reference is made to the Government Resolution dated 12 December 2000.

4. The Resolution dated 12 December 2000 was considered by the Aurangabad Bench in the order dated 25 January 2019 and the Aurangabad Bench has passed the following operative order :-

“The respondent/Zilla Parishad after confirming themselves of the petitioners being District awardee teachers and awarded certificate prior to 04/09/2018 shall individually consider the case of the petitioners for additional increment as is laid down under the Govt. Resolution dated 12/12/2000. The same shall be considered on its merits expeditiously preferably within a period of six months. Writ Petition disposed of accordingly.”

5. In the circumstances, we direct the Respondent – Zilla Parishad, after confirming that the Petitioners are District Awardees Teachers and awarded certificate prior to 4 September 2018, shall individually consider the case of the Petitioners for additional increment in the light of the decision rendered by the Aurangabad Bench on 25 January 2019. The decision in each case will be

taken on its own merits preferably within six months from today subject to all procedural compliances.”

2. It is apparent that the Writ Court had directed the Chief Executive Officer (CEO), Zilla Parishad, Pune, to verify and make payment according to the eligibility of the Petitioners within six months. This order had to be complied with by 31st January, 2025.

3. On instructions, the learned Advocate for the Zilla Parishad submits that the scrutiny has not been completed, and therefore, the payment has not been made. He further submits, on instructions, that the payment would be made within two months from today.

4. We could have issued a notice under the Contempt of Courts Act to the CEO, Zilla Parishad, Pune, and initiated proceedings for disobedience. However, the learned Advocate for the Petitioners submits that they are interested in the fruits of the litigation. They have no animosity towards the CEO, since they are in employment and are receiving their regular salary. The learned Advocate for the Petitioners graciously submits that if the CEO sticks to his statement made before the Court and clears the payment within 60 days, they would have no grievance. It is pointed out

that the same CEO has already faced Contempt of Court proceedings in this Court in Contempt Petition Nos. 135 of 2022 and 136 of 2022.

5. Considering the magnanimity of these Petitioners and the fair statement made by the learned Advocate on instructions, we accept the statement of the CEO, Shri Gajanan Patil, and hold that the payments to these Petitioners, after due verification and calculations, shall be cleared, on or before 28th November 2025, failing which, we shall consider the conduct of the concerned CEO as amounting to aggravated contempt.

6. By recording the above statements and observations, **these Contempt Petitions are disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)