



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CONTEMPT PETITION NO.294 OF 2024
IN
WRIT PETITION NO.5398 OF 2023 (D)

Manik s/o Gangaram Zingre, At Kharasi, Post Palandur, Tah. Lakhani, Dist. Bhandara and ors.

-vs-

Ekanath s/o Rajaram Dawale, Principal Secretary, Rural Development Dept. Mantralaya,
Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri Manoj Sable, Advocate for petitioners.

Shri S. M. Ghodeswar, Assistant Government Pleader for State.

Ms H. N. Jaipurkar, Advocate h/f Shri B. N. Jaipurkar, Advocate for respondent
No.5.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : March 27, 2025

1. The contempt petition alleges non-compliance/disobedience of the order dated 30/01/2024, passed in Writ Petition No.5398/2023.
2. A categorical statement is made by the counsel appearing for the respondent No.5-Chief Executive Officer, Zilla Parishad, Bhandara that the decision is taken to calculate total service of the petitioners after considering their temporary service.
3. It is in response to the Court's query, the learned counsel tenders a communication dated 27/03/2025 whereby the Executive Engineer, Public Works Department, Zilla Parishad, Bhandara has assured that the pension of the petitioners shall be released within a period of six months. Communication is taken on record and marked 'X' for identification.

4. Even though this Court vide order dated 30/01/2024, has accepted the statement that temporary services of the petitioners would be considered in terms of Rule 30 of the Maharashtra Civil Services (Pension) Rules, 1982, the same was for the purpose of calculating pension and consequential release of the benefits.

5. The counsel appearing for the respondent No.5 states that the period reflected in the communication issued to her by the Executive Engineer is agreed by the Chief Executive Officer, Zilla Parishad. That being so, we accept the said statement as an undertaking.

6. The entire pension payable to the petitioners, be released in any case by 31/08/2025.

7. Till then within one month, the respondents must release provisional pension to the petitioners which amount shall be adjusted in the final pension to be paid to the petitioners.

8. In view of aforesaid the contempt petition stands disposed of.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)