IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 235 OF 2024 IN CP/282/2018

Pankaj Kantilal Kate

VERSUS

Secretary, School Education And Sports Department

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WITH

CONT. PETITION NO. 1068 OF 2024 IN CP/264/2017

WITH

CONT. PETITION NO. 912 OF 2024 IN WP/1030/2016

WITH

CONT. PETITION NO. 123 OF 2025 IN CP/264/2017

WITH

CONT. PETITION NO. 913 OF 2023 IN CP/114/2018

WITH

CONT. PETITION NO. 199 OF 2023 IN CP/115/2018

WITH

CONT. PETITION NO. 916 OF 2023 IN CP/114/2018

WITH

CONT. PETITION NO. 917 OF 2023 IN CP/746/2018

WITH

CONT. PETITION NO. 941 OF 2023 IN WP/8840/2022

WITH

CONT. PETITION NO. 106 OF 2024 IN CP/283/2018

WITH

CONT. PETITION NO. 108 OF 2024 IN CP/284/2018

WITH

CONT. PETITION NO. 679 OF 2024 IN WP/4743/2014

WITH

CONT. PETITION NO. 454 OF 2024 IN CP/254/2017

WITH

CONT. PETITION NO. 1064 OF 2024 IN CP/264/2017

WITH

CONT. PETITION NO. 1066 OF 2024 IN CP/264/2017

WITH

CONT. PETITION NO. 404 OF 2024 IN WP/10162/2022

WITH

CONT. PETITION NO. 912 OF 2023 IN CP/745/2018

WITH
CONT. PETITION NO. 198 OF 2023 IN CP/114/2018
WITH
CONT. PETITION NO. 363 OF 2024 IN WP/2274/2017
WITH
CONT. PETITION NO. 368 OF 2024 IN WP/2273/2017
WITH
CONT. PETITION NO. 21 OF 2024 IN CP/781/2018
WITH
CONT. PETITION NO. 255 OF 2024 IN WP/1030/2016
WITH
CONT. PETITION NO. 403 OF 2024 IN WP/8509/2022
WITH
CONT. PETITION NO. 600 OF 2022 IN WP/3961/2016
WITH
CONT. PETITION NO. 603 OF 2022 IN WP/3962/2016
WITH
CONT. PETITION NO. 924 OF 2024 IN WP/1030/2016
WITH
CONT. PETITION NO. 596 OF 2022 IN WP/10817/2015
WITH
CONT. PETITION NO. 939 OF 2023 IN WP/6097/2022
WITH
CONT. PETITION NO. 599 OF 2022 IN WP/923/2017
WITH
CONT. PETITION NO. 452 OF 2024 IN CP/250/2017
WITH
CONT. PETITION NO. 453 OF 2024 IN CP/251/2017
WITH
CONT. PETITION NO. 223 OF 2023 IN WP/892/2016
WITH
CONT. PETITION NO. 913 OF 2024 IN WP/5272/2016
WITH
CONT. PETITION NO. 406 OF 2024 IN WP/4038/2016
WITH
CONT. PETITION NO. 940 OF 2023 IN WP/8891/2022
WITH
CONT. PETITION NO. 763 OF 2023 IN CP/631/2018
WITH
CONT. PETITION NO. 267 OF 2024 IN WP/8862/2022
WITH

CONT. PETITION NO. 451 OF 2024 IN CP/251/2017
WITH
CONT. PETITION NO. 22 OF 2024 IN CP/783/2018
WITH
CONT. PETITION NO. 23 OF 2024 IN CP/782/2018
WITH
CONT. PETITION NO. 542 OF 2025
WITH
CONT. PETITION NO. 926 OF 2024 IN WP/5179/2016
WITH
CONT. PETITION NO. 38 OF 2025
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CONT. PETITION NO. 39 OF 2025
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CONT. PETITION NO. 43 OF 2025
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CONT. PETITION NO. 142 OF 2025
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CONT. PETITION NO. 169 OF 2025
WITH
CONT. PETITION NO. 06 OF 2025

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Learned Counsel for the petitioners in respective petitions : Mr. Rahul S. Pawar, Mrs. Sabahat T. Kazi h/f. Mr. Vinod P. Patil, Mrs. Sabahat T. Kazi, Mr. Shrikant B. Madde, Mr. Akram Inamdar h/f. Mr. S.S. Kazi, Shaikh Shermahmed K., Mr. A. R. Syed, Mr. Pramod A. Kulkarni

Learned Advocate for Responden/State : Mr.Ram S. Apte, Senior Advocate a/w. Mr. Harshal P. Nahata

AGP for State : Mr. P. K. Lakhotiya

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CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.
DATED : 16TH FEBRUARY 2026

PER COURT :-

1. Heard learned Counsel for the petitioners and the learned special counsel on behalf of Respondents.

2. In this batch of Contempt Petitions pursuant to order dated 19.11.2025 passed by this Court, the Respondents have deposited an amount of Rs.29,25,82,963/- with the Registry of this Court on 13.01.2026.

3. Today, the learned Counsel for the Petitioners would submit that Petitioners may be permitted to withdraw the said amount to their extent as calculated by Respondents as per the chart submitted before this Court on 13.01.2026, since this amount is towards the arrears of their salaries.

4. Learned special counsel appearing for the Respondents, however, oppose the withdrawal of the amount by relying on two charts produced by him on record (hereinafter called as “Chart-I” and “Chart II”) and submits that so far as the Chart-I is concerned, out of 110 petitioners 39 petitioners are found eligible for being paid the amount as per the calculations made in the said chart. He, further relying on Chart II would submit that rest of the 71 petitioners are held to be ineligible for being paid the amount for obvious reasons and therefore they cannot be permitted to withdraw the amount to their extent. Relying on Chart-II in respect of 71 petitioners learned special counsel would further submit that though the amount has been calculated which is proposed to be paid to them, however,

having regard to their ineligibility they cannot be permitted to withdraw the amount.

5. We find that as per the Chart-I which the special counsel has relied upon, at least these 39 petitioners who are found eligible for being paid the amount are entitled to withdraw the entire amount as per the calculations shown in the said chart. So far as 71 petitioners who according to the learned special counsel are found to be ineligible are concerned, we find that in their cases admittedly as per the calculations made the amount has been deposited. Though there are submissions and counter submissions as regards their eligibility, however, without entering into controversy as to whether these 71 petitioners are found eligible or otherwise, we find that in order to balance the equities and more so when these 71 petitioners have rendered their past services, we find that even they are also entitled to seek withdrawal of the amount.

6. Accordingly, without going into the aspect as regards eligibility or ineligibility of these 71 petitioners as observed hereinabove in order to balance the equities we direct that these 71 petitioners are entitled to withdraw 50% of the amount deposited as per the calculations shown in Chart-II submitted by the learned special counsel. We, therefore, pass the following order :-

:: O R D E R ::

i. The 39 petitioners shown in Chart-I are permitted to withdraw the entire amount as per the calculations shown in the said chart with the interest accrued thereon till date.

ii. The 71 petitioners shown in chart-II are permitted to withdraw 50% of the amount as per the calculations shown in the said chart with the interest accrued thereon till date.

iii. The withdrawal of the amount shall be subject to final outcome of the Writ Petitions pending before this Court filed by the petitioners challenging the subsequent orders of their ineligibility.

iv. Likewise, withdrawal of remaining amount will also be subject to further orders that would be passed by this Court in those Writ Petitions.

v. In the light of above, all these Contempt Petitions stand disposed of.

[ABASAHEB D. SHINDE, J.] [SANDIPKUMAR C. MORE, J.]

Narwade