

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 155 OF 2025

Gulshan H. Lulla

....Petitioner

Versus

Shailendra Deolankar & Anr.

....Respondents

Mr. Swaraj Jadhav, for the Petitioners.

Mr. P. D. Dalvi a/w. Mr. Omkar Nagvekar, for Respondent Nos. 3 & 4.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 22nd JANUARY, 2026

P.C. :-

1. We have issued notice to Respondent Nos. 4 and 5 in the formant prescribed. Leave to delete Respondent No. 1 was granted. The Petitioner has deleted Respondent Nos. 1 and 2 as well. As a result, the notice issued to Original Respondent Nos. 4 and 5 has been issued to Original Respondent Nos. 3 and 4.

2. Liberty to restore Original Respondent No. 2 as Respondent No. 1, and accordingly correct the serial numbers of the remaining four Respondents in the cause title.

3. Our notice under the Contempt of Courts Act will have to be issued to the re-arranged Respondent Nos. 3 and 4, namely, Kamlesh Talreja and Vinod Chandrakant Patil.

4. **Issue notice to Respondent Nos. 3 and 4.** Mr. Dalvi, the learned Advocate waives service of notice on behalf of the said Respondents and submits that an Affidavit-in-Reply has already been filed.

5. We have perused Paragraph No. 5 of the order of the Writ Court dated 18.04.2023. It does not require interpretation that the Writ Court has directed Original Respondent Nos. 4 and 5, namely, the institution trust and the Principal, to pay, even the pension and gratuity of the Petitioner. Though an Affidavit-in-Reply has been filed, no details about the gratuity and pension are placed before us.

6. The learned Advocate representing Kamlesh Talreja and Vinod Chandrakant Patil submits that the Contempt Petition is not maintainable since the date of the order of the Writ Court is 18.04.2023 and the Petition has been filed on 21.05.2024, which is

around one year and one month later. We do not find that the submissions of the learned Advocate are well placed. Payment of gratuity is to be made after 30 days of the severance of the employer-employee relationship. The same has not been paid and is, therefore, a recurring cause of action. So also, pension has to be paid on month to month basis, and non-payment for each month creates a recurring cause of action, the moment the pension is not paid for a particular month.

7. Both these persons, namely, Kamlesh Talreja and Vinod Chandrakant Patil who have been served with notices, are not present in the Court Hall. We could have issued aailable warrant. However, the learned Advocate representing them submits that they would remain present before the Court on the next date.

8. In view of the above, list this Petition on **29th January, 2026** in the ‘Urgent Supplementary Board’. Needless to state, this gives an opportunity to the accused contemnors to comply with the directions of the Writ Court, in the interregnum.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)