

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.821 OF 2025
IN
WRIT PETITION NO.11027 OF 2024

Dr. Chetna RajputPetitioner

Versus

Ness Wadia and Ors.Respondents

Mr. Vaibhav Kulkarni a/w. Ms. Disha Rathod for the Petitioner.

Mr. Yuvraj Narwankar a/w. Ms. Neha Wadekar for Respondent
Nos.1 and 2.

Mr. P.P. Kakade, Addl. GP a/w. Mr. Abhijeet Naik, AGP for
Respondent No.3.

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

DATE : 7th JANUARY, 2026

P.C. :-

1. We have heard the learned Advocate for the Petitioner,
the learned Addl. GP appearing on behalf of Respondent No.3, and
the learned Advocate for Respondent Nos.1 and 2.

2. We have perused our judgment dated 28th March, 2025
delivered in Writ Petition No.11027 of 2024 (***Dr. Chetna Rajput v/s.
Modern Education Society and Ors.***), more particularly, paragraph

No.7 with reference to the pension issue. There is no dispute that, insofar as gratuity is concerned, the amount admitted by the Management has been paid to the Petitioner. The disputed issue with regard to the quantum of gratuity will have to be decided by the competent authority under the Payment of Gratuity Act, 1972.

3. Insofar as this Contempt Petition is concerned, the Petitioner's grievance, by adverting to paragraph No.17 of the Writ Court's order, is that the State Government has not discharged its duty. The learned Addl. GP submits that the competent authority from the Accountant General's Department has issued a communication dated 24th July, 2025 addressed to Respondent No.3 herein, and a copy thereof has also been marked to the Petitioner, concluding that, for the reasons set out therein, the Petitioner is not entitled to pension.

4. A copy of the said communication dated 24th July, 2025 is supplied to the learned Advocate for the Petitioner, in view of the fact that the Petitioner has not intimated the learned Advocate as to whether she has received a copy of the said communication.

5. The learned Advocate for the Petitioner will have to challenge the said communication dated 24th July 2025, by which the Petitioner has been held to be disentitled to the payment of pension.

6. The learned Advocate for the Petitioner, therefore, submits on instructions, that the Petitioner would withdraw this Contempt Petition and would challenge the said communication by preferring a fresh Writ Petition.

7. In view of the above statement and liberty granted, **this Contempt Petition is disposed off as withdrawn**, on instructions.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)