



sanjay\_mandawgad

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**CONTEMPT PETITION NO. 92 OF 2009**

Sunita Laxman Kolhe ...Petitioner  
*Versus*  
Arjunchandra Swarupchandra Chouhan & Ors ...Respondents

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**Ms Deepali Deherkar, with Mandar Limaye, for the Petitioner.**  
**Mr VM Mali, AGP, for the Respondent-State.**

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**CORAM G.S. Patel &**  
**Sharmila U. Deshmukh, JJ.**  
**DATED: 22nd November 2022**

**PC:-**

1. The background to the Contempt Petition begins with a judgment of the School Tribunal dated 26th July 2006. The Petitioner, Sunita, sought that an order of termination of 28th December 2001 be set aside, she be reinstated with continuity of service and all the consequential benefits including back wages be ordered to be given to her.

2. The School Tribunal passed an order in her favour. The School, Meenal Arjun Chavan Vidyalaya, Ulhasnagar filed Writ Petition No. 6464 of 2006 against the School Tribunal's order. This was rejected by a brief order on 26th September 2006. The

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Vidyalaya went to the Supreme Court. Leave was granted and ultimately by an order dated 5th November 2008, after an elaborate discussion, the school's Civil Application No. 421 of 2007 was dismissed. Thus, the School Tribunal's order was reaffirmed right up to the Supreme Court.

3. Sunita was in fact reinstated and paid salary thereafter. The dispute is about her back wages. It is unfortunate that the contempt petition, filed in 2009, has remained pending for so long. There is an affidavit in reply. Notice in contempt has not yet been issued.

4. Respondents Nos.1 and 2 are presently unavailable. Perhaps they may not have been aware of the listing of the matter. We request Ms Deherkar, learned Advocate for the Contempt Petitioner, to give fresh notice mentioning the next date. We require an explanation from the 1st and 2nd Respondents why the back wages of the Petitioner have not been paid as ordered by the School Tribunal.

5. Keep the matter high on board on 5th January 2023.

**(Sharmila U. Deshmukh, J)**

**(G. S. Patel, J)**