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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.258 OF 2018
IN
WRIT PETITION NO.9019 OF 2016**

Sudhakar Malba Davkare

..PETITIONER

VERSUS

Mr P. Velrasu & ors.

..RESPONDENTS

Mr Ajay S. Deshpande, Advocate for petitioner;
Mr D. P. Bakshi, Advocate for respondent No.1;
Mr S. P. Sonpawale, A.G.P. for respondent No.2

**CORAM : PRASANNA B. VARALE
AND
AVINASH G. GHAROTE, JJ.**

DATE : 9th October, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

2. Mr Deshpande, learned Counsel appearing on behalf of the petitioner submits that the rejoinder and the notes of submissions are ready and the same be permitted to be filed in the office. He undertakes to supply the copies of the rejoinder and notes of submissions to the learned Counsel appearing for the respective respondents.

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3. Office to accept the rejoinder and the notes of submissions, if submitted during the course of the day.

4. The present contempt petition is filed with a grievance of non-compliance of the order dated 20th September, 2017, passed by this Court in Writ Petition No.9019 of 2016. In para 11 of the said order, the Division Bench had directed the respondents to consider the claim of the petitioner for promotion to the post of S.D.E. from persons with disability quota. It was further observed by the Division Bench that the quota shall be considered with effect from the date of memorandum issued i.e. 29th December, 2005 and the same shall be considered within stipulated period of three months from the date of the order.

5. As the order of this Court is not complied with, the present contempt petition is filed in this Court. Notice was issued to the respondents.

6. In the reply filed on behalf of the respondent No.1, the orders are placed on record and perusal of the orders show that the benefit is granted to the petitioner from 26th February, 2006. When this Court, in its order, made it clear that the benefit is to be granted from the date

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of the memorandum issued i.e. 29th December, 2005, there was no reason or logic for granting benefit from the year 2006. On the backdrop of this very peculiar fact, at the request of the learned Counsel appearing for respondent No.1, two week's time was granted to place on record a copy of the corrigendum, correcting the date as indicated above.

7. Mr Bakshi, learned Counsel for respondent No.1 prayed for further time of two weeks. We are unable to see any reason or logic for extension of time, when this Court had granted time on the earlier date i.e. 17th June, 2019 with an expectation from respondent No.1 to place on record the corrigendum to set the issue at rest.

8. In view of above referred facts, we grant only a week's time to learned Counsel for respondent No.1 so as to comply the order of this Court, dated 17th June, 2019, by placing on record a copy of the corrigendum on the next date.

Authenticated copy of this order be supplied to the learned Counsel for respective parties.

(AVINASH G. GHAROTE, J.)

(PRASANNA B. VARALE, J.)

sjk