

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**CONTEMPT APPLICATION NO.7 OF 2016
IN
ORIGINAL APPLICATION NO.525 OF 2015**

DISTRICT: PUNE

Mrs. Jyoti Shivaji Bade
Woman Police Constable (Group C).
Bhingar Camp Police Station,
Ahmednagar, and having residential
Address at Government ITI Quarters,
Room No.5, Malegaon, Taluka Baramati,
District Pune

.....APPLICANT

VERSUS

Shri Vijay Waghmare,
Director (Training),
Vocational Education & Training,
Regional Office, Maharashtra State,
3, Mahapalika Marg,
Mumbai 400 001

.....RESPONDENT

Shri M.D. Lonkar, learned Advocate for the Applicant.

Shri K.B. Bhise, learned P.O. holding for Shri N.K. Rajpurohit,
learned C.P.O. for the Respondent.

**CORAM : SHRI RAJIV AGARWAL, VICE-CHAIRMAN
SHRI R.B. MALIK, MEMBER (J)**

DATE : 17.02.2016.



ORDER

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned P.O. holding for Shri N.K. Rajpurohit, learned C.P.O. for the Respondent.

2. This matter was called out at around 11.00 a.m. and at that time Shri K.B. Bhise, learned P.O. made a request that it be kept back so as to enable, Shri N.K. Rajpurohit, learned C.P.O. to appear and make submissions.

3. Shri K.B. Bhise, learned P.O. had requested for time up to 12.30 p.m. and now, it is 1 o'clock and therefore, the matter is called again and taken up.

4. In the first place our detailed order dated 16.02.2016 (though date below signature is erroneously mentioned as 17.02.2016 be perused). The date is correctly mentioned on the first page of the order and in the correspondence tendered on behalf of the Respondent also it is clear that the order was made yesterday i.e. 16.02.2016, so there is no issue about it.


5. The communication from Shri S.M. Hasthe, Joint Director of Principal Secretary (Skill Development and Entrepreneurship Department) is taken on record. Also taken on record is the correspondence from the State Government (Joint Secretary) of the said Department to the learned P.O., a copy of which is tendered on behalf of the Respondent. Granting all latitude to Respondent of this Contempt Application one finds that as per first communication for all practical purposes he was seeking directions from the Government to implement the order of this Tribunal for



which the penultimate paragraph of the first letter above referred to needs to be perused (marked -A for facility). As far as the second communication is concerned it tends to suggest that the steps to issue the orders in compliance with the order of this Tribunal were in progress and that would require about one week's time which time should be requested for from the Tribunal.

6. Now if the circumstances emanating from these two communications is read in juxtaposition with our order made yesterday it becomes very clear that the case for initiation of contempt action is constituted and therefore we direct the Registrar of this Tribunal to register this as Contempt Application and issue notice to the Respondent - Shri Vijay Waghmare, Director (Training) to remain present on 22.02.2016 at 11.00 a.m. We, however, make it clear that the issuance of this contempt notice does not come in the way of compliance with our order fully and may be if that was done perhaps the seriousness and degree of contempt may have been diluted somewhat though we make no final conclusion thereabout.

7. S.O. to 22.02.2016.


17.02.16

(R.B. Malik)
Member(J)


(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 17.02.2016
Typed by : PRK