

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9903 OF 2015

Matoshri Anusayamata Shikshan Prasarak
Mandal, Through its Secretary
and another

PETITIONERS

VERSUS

Kisan Shankarral Jaybhaye
and another

RESPONDENTS

Mr.Kalyan V.Patil h/f Mr.S.R.Barline, Advocate for the petitioners.
Mr.G.J.Karne, Advocate for respondent No.1.
Mr.U.H.Bhogle, AGP for respondent No.2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 05/10/2015

PER COURT :

1. Learned Advocate for the petitioners and Mr.Karne, learned Advocate appearing on behalf of respondent No.1 submit that an identical controversy involving the same petitioner / Management and a similar teacher as like respondent No.1 has been decided by judgment dated 22/01/2014 in Writ Petition No.4739/2013 (Matoshri Anusayamata Shikshan Prasarak Mandal Vs. Maroti s/o Shankar Waghmare and another).

2. In yet another judgment in WP No.6250/2013 dtd 12/02/2014 ((Matoshri Anusayamata Shikshan Prasarak Mandal and another Vs.

Sheshrao S/o Govind Waghmare and another), this Court has, in an identical situation, disposed off the said writ petition.

3. In the light of the above and considering the statement made, I pass a similar order as follows :-

(a) The order to the extent of back wages as appearing in clause 3 of the operative order is set aside and instead modified as under :

The present petitioner and Respondent No.2 shall pay back wages to the Respondent No.1 herein from 14/01/2011 to 30/04/2011 to the Respondent No.1. The petitioner shall forward necessary proposal to the Respondent No.2 and on compliance of all the legal formalities, the amount be paid by the Respondent No.2 to the Respondent No.1. As far as back wages from date of derecognition till absorption is concerned, the Respondent No.1 may move the Respondent No.2 for the said purpose and shall be considered by the Respondent No.2.

(b) The Writ petition is accordingly disposed off.

(RAVINDRA V. GHUGE, J.)