

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12197 OF 2015
IN
WRIT PETITION NO.7446 OF 2009

Venkatrao Dnyanoba Mane

APPLICANT

VERSUS

The Secretary, Ahilyabai Holkar Shikshan
Prasarak Mandal and others

RESPONDENTS

Mr.H.P.Jadhav, Advocate for the applicant.

Mr.V.D.Gunale, Advocate for the respondent Nos. 1 and 2.

Mrs.V.G.Shelke, AGP for respondent No.3.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 04/12/2015

PER COURT :

1. Issue involved in the petition is with regard to the appeal of the applicant employee being allowed and payment of back wages by excluding withholding of increment as is ordered by the School Tribunal. By an order dated 14/06/2010, this Court granted ad-interim relief in terms of prayer clause 'D' to the petitioner/ Management subject to the conditions that the back wages be deposited.

2. Pursuant to further orders passed by this Court, the

petitioner / Management has deposited Rs.64,590/- on 27/07/2010 and Rs.1,10,440/- on 13/07/2015 as back wages.

3. Contention of the applicant in this application is that the 6th Pay Commission Recommendations as well as increments of pay reckoned for the purposes of calculating his back wages. I am unable to accept this contention of the applicant. Back wages are normally to be computed on the basis of last drawn wages unless differently ordered by any Court.

4. In the light of the above, this application need not be kept pending and is disposed of with the liberty to the applicant to raise the issue of applicability of the 6th Pay Commission recommendations when WP No.7446/2009 is heard finally.

(RAVINDRA V. GHUGE, J.)