

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

8 LETTER PATENT APPEAL NO. 11 OF 2012

AHMEDNAGAR ZILLA MARATHA VIDYA PRASARAK SAMAJ AND ANR
VERSUS
MENANATH SITARAM JAIGUDE AND ORS

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Advocate for Appellants : Mr. Hon Vinayak D.
Advocate for Respondent No.1 :Mr. H.D.deshmukh
Advocate for respondent Nos.2 and 4: Mr. V.B.Ghatge

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Date: October 26, 2015

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PER COURT :-

1 The contesting parties i.e. the Appellant as well as the respondent employee, have tendered a *minutes of the order*, signed by both the parties, as well as respective counsel. The same is admitted on record and marked as Exhibit 'X' for identification.

2 Appellant has agreed to reinstate the respondent employee in service, on the post of watchman, in compliance with the order dated 8.12.2011, passed by this Court in Writ Petition No.5797 of 2011. The respondent No.1, on the date, on which he joins the duty, has agreed to tender an application, seeking voluntary

retirement (VRS). Respondent No.1 has also agreed not to claim any amount towards back wages. The employer has agreed, on receipt of application from respondent No.1 for VRS, to prepare the proposal and submit the same to the State Government and/or concerned authority, for consideration in accordance with law.

3 In view of the agreement reached between the parties, we dispose of the Letters Patent Appeal, maintaining the order of the High Court, with modification recorded in the minutes of the order. The respondent employee shall be deemed to have continued in employment until the date of his retirement and shall be eligible for the monetary benefits accruing from his continuity in employment, while claiming pensionary benefits.

4 The LPA accordingly stands disposed of.

5 Pending Civil Application, if any, does not survive and stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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