

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7091 OF 2005

Balkrushna Namdeo Phalake .. Petitioner
vs.
The President,
Jai Bhavani Education Society, Girvi
Tal. Phaltan, Dist. Satara and ors. .. Respondents

Mr. Gautam Bhagwat a/w. Ms Saroj Ghatge i/b Divekar Bhagwat & Co. for the Petitioner.

Mr. Vijay Patil a/w. Mr. Nikhil Chavan for Respondent Nos.1 and 2.
Ms Aparna Vhatkar, AGP for Respondent No.3 in WP 7091/05.

CORAM : M. S. SONAK, J.

Date of Reserving the Order : 26 February 2015
Date of Pronouncing the Order : 13 March 2015

P.C.:-

1] The judgment and order made in Writ Petition No.7093 of 2005 shall govern the facts and circumstances of the present case.

2] Accordingly, for the reasons set out in the said judgment and order, the impugned order dated 15 June 2005 is modified. The impugned termination order is set aside. The respondents are directed to pay to the petitioner arrears of backwages for a period of two years (as per scale prevalent between June 2000 and June 2006) within a period of eight weeks from today. The period between June 2000 and June 2006 shall, however, be taken into consideration notionally for the purposes of fixing the payment of retirement benefits.

3] Rule is made absolute to the aforesaid extent. There shall be no order as to costs.

(M. S. SONAK, J.)

4] At this stage, learned counsel for respondent Nos.1 and 2 submitted that the period of eight weeks for compliance be extended to twelve weeks. Accordingly, said period is extended to twelve weeks from today.

(M. S. SONAK, J.)