

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2211 OF 2014

Sudam S/o Kondiba Darade

-vs-

State of Mah.and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.M.V.Bute, counsel for the petitioner.

Mr.N.Rao, AGP for the respondent No2.1 and 2.

Mr.N.Kalwaghe, counsel for Respondent Nos.3, 3(ii),
3(iii),3(v),3(vi),3(vii),3(viii),3(ix), 3(x) and 3(xi).

Mr.S.U.Bhuyar, counsel for the respondent Nos.3(i) and (iv).

CORAM : SMT. VASANTI A. NAIK &
A.M.BADAR, JJ.

DATE : 18.03.2015.

By this petition, the petitioner seeks a direction to the respondent-Management to pay the salary to the petitioner for the period from 1998 to 2011.

It appears that the school is derecognized in the year 2011 and it is the case of the petitioner that the petitioner has not been paid the salary from the period from 1998 to 2011.

Shri Kalwaghe, the learned counsel for the respondent Nos.3, 3(ii), 3(iii),3(v),3(vi),3(vii),3(viii),3(ix), 3(x) and 3(xi), states that the petitioner is the real brother of the President of the Society and the petitioner was illegally appointed and it is most likely that the petitioner must not have worked on the post.

In any case, it would not be possible for this Court to direct the Management to pay the salary to the petitioner, as the claim made by the petitioner is time barred.

The petitioner is seeking the salary from the year 1998 to 2011 and the petition has been filed in the year 2014. It is well settled that a claim for monetary relief could be made for a period of three years preceding the date of filing of the petition. Since the claim in the instant case is time barred, the relief cannot be granted.

In view of the aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

KHUNTE