

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

**WRIT PETITION NO.129 OF 2012**

**Sunita Bhatkar ..vs.. The State of Mah. and ors**

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

Court's or Judge's order

Shri Y.P. Kaslikar, counsel for the petitioner.  
Shri N.S. Khubalkar, AGP for R-1, 2 & 3  
Shri Anand Parchure, counsel for R-5.

**CORAM** : B.P.DHARMADHIKARI &  
A.P.BHANGALE, JJ.  
**DATE** : JANUARY 23, 2015.

**Heard.**

The grievance of the petitioner arising out of later termination or interim order passed by the appellate Authority staying it, cannot be considered in this matter. The petitioner has to raise it before the appropriate forum.

However, his grievance for work performed from 1.12.2010 onwards and non receipt of salary for the said work till 5.5.2011 can be redressed.

Shri Parchure, learned counsel for respondent No.5, submits that respondent No.5 shall prepare salary bills of the petitioner for the said period and submit it to respondent No.3.

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Learned Assistant Government Pleader for respondent Nos.3 submits that respondent No.3 shall verify it in accordance with law and if the amount is found payable, the same shall be paid to the petitioner.

Respondent No.5 shall prepare salary bills within a period of three weeks from today and submit it to respondent No.3. Respondent No.3 shall consider it within next four weeks and amount found payable to the petitioner shall be released to him within next four weeks.

Learned counsel for the petitioner has submitted that as per order dated 13.9.2011 the petitioner has been reinstated in service with continuity and full backwages and, therefore, the petitioner is entitled to wages also for period from 1.7.2000 till 1.12.2010.

Shri Parchure, learned counsel, has pointed out that earlier school of which the petitioner was employee was derecognized and thereafter the petitioner has started new school afresh.

Perusal of the terms and conditions contained in grant of said school to respondent No.5 shall be necessary to find out whether the liability of past Management is fastened upon

respondent No.5.

As the said documents are not on record and learned counsel for the parties are seeking adjournment, we find it proper for the petitioner to make a representation even in this respect to respondent No.3. If such representation is made within a period of three weeks, respondent No.3 shall after hearing the petitioner and respondent No.5, take suitable decision upon entitlement of the petitioner to seek recovery of the said wages from respondent No.5 or then from earlier school, within next eight weeks.

With these directions and keeping rival contentions only in relation to these aspects open, we dispose of the writ petition. No order as to costs.

**JUDGE**

**JUDGE**

**!! BRW !!**

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