

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

WRIT PETITION NO. 5296/2014

(Shri Surendra Narayanrao Paraye vs. State of maharashtra and others)

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

Court's or Judge's order

Ms.A S.Athalye, Adv. for petitioner
Mr.F.T.Mirza, Adv.for Respondent No.2
Mr. K L Dharmadhikari, Assistant Government Pleader for respondents 1,3 & 4

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

DATED : 31st March, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent no.2 -Municipal Council to pay him the leave encashment amount.

It is stated on behalf of the respondent-Municipal Council that though initially an amount of more than Rs. 2 lakhs was due and payable to the petitioner, most of the dues are cleared and only an amount of Rs. 84,000/- is now due and payable to the petitioner. It is fairly stated that the respondent-Municipal Council is liable to pay the dues but was not in a position to pay the same, due to financial problems. It is further stated that the dues of 42 employees are still pending though some of the employees have retired in the year 2006. The learned counsel for the respondent-Municipal Council states that the dues of the petitioner would be cleared within a period of six months.

Ms.A.S. Athaley, the learned counsel for the petitioner does not dispute that an amount of Rs. 84,000/- is due and payable to the petitioner and that some of the dues have already been paid.

In view of the aforesaid statements, we dispose of the Writ Petition by accepting the statement made on behalf of the respondent -Municipal Council that an amount of Rs. 84,000/- would be paid to the petitioner in installments, within a period of six months, which would be binding on the respondent-Municipal Council.

Order accordingly. No order as to costs.

JUDGE

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