

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

Writ Petition No.94/2014

Ku. Punam d/o Rameshrao Lonkar Vs. The Secretary, Nehru Edu. Soc. And
others.

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

Court's or Judge's
Orders.

CORAM : B.P. Dharmadhikari &
A.P. Bhangale, JJ
DATE : 16th February, 2015.

Heard Advocate G.R. Sadar for the petitioner, Advocate
Kulkarni for respondent nos. 1 and 2 and AGP Adgokar for the
respondent no.4.

The Management has already submitted a bill to office of
respondent no.4 for releasing withheld increment and 7 days' salary.
The salary was withheld and the increment was not released due to
charge that the petitioner misled the Management. Ultimately, the
Management has held another inquiry for that misconduct and proper
punishment is being looked into. In this situation, the direction by
Grievance Committee to release petitioner's salary for 7 days and to
release withheld increment cannot be said to be erroneous or without
jurisdiction.

The Management has already submitted that salary bill to
respondent no.4. Respondent no.4 shall process it within a period of

four weeks from today and release necessary amount to the petitioner within next four weeks.

Insofar as the grievance of the petitioner about H.R.A. Is concerned, the Management found that she was not residing at Headquarters i.e. Ner Persopant. The order of Grievance Committee itself shows that the petitioner had applied for leave to undertake to and fro journey from Amravati as her children were young. In this situation, as the petitioner was not staying at headquarter, refusal of respondent no.4 to release H.R.A. cannot be said to be unjustified.

Advocate Sadar, however, submits that the petitioner thereafter has shifted to Ner Persopant. It is for the petitioner to demonstrate this part by bringing on record the necessary material, we grant her opportunity to make suitable representation for the said purpose to respondent no.4. If such representation is made by her within four weeks from today, respondent no.4 shall consider it in accordance with law within next six weeks.

With these directions and keeping all rival contentions about the H.R.A., open, we dispose of the writ petition. No costs.

JUDGE

JUDGE

Ambulkar