

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

AND

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT APPEAL No.229 of 2015

-

-

-

P.C: (per the Hon'ble Sri Justice Dilip B.Bhosale)

Heard learned counsel for the parties.

Learned counsel for the parties state that two companion writ appeals, bearing Nos.203 and 212 of 2015 have already been disposed of by this Court on 18.03.2015. The order passed in those writ appeals reads thus:

“Heard learned counsel for the parties.

These appeals are arising from common order passed by learned single Judge disposing of WVMP Nos.2202, 2203, 2200 and 2201 of 2013, whereby he allowed all the petitions and vacated interim order dated 20-06-2013.

The main grievance of the appellants is that after their transfers from engineering college to the school they are not getting the same salary that they were getting while working in the engineering college on the date of their transfers. On the other hand, learned Senior Counsel appearing for the respondent – Society invited our attention to the observations made in paragraph 24 of the impugned order and reiterated that the appellants are paid same salaries in the same pay scale which they were paid in the engineering college of the respondent – Society. Once again, on instructions, he submits that the respondent – Society shall pay to the appellants the same salaries in the same pay scale which they were getting at the time of their transfers from engineering college to the school. His statement is recorded and accepted. In view thereof, learned counsel for the appellants does not press these appeals and seeks directions to the learned Judge to

decide the writ petitions expeditiously.

The appeals are disposed of as not pressed. It is not proper to issue a direction, as prayed for. However, we request the learned Judge, who is assigned to hear the writ petitions, to decide the writ petitions expeditiously, in view of the direction issued in the impugned order to post the writ petitions for final hearing after Sankranthi Vacation, 2015.

Learned counsel for the appellant submits that this appeal may also be disposed of with the observations that the respondents shall pay retiral benefits, if any to the appellant within three months from today. He submits that the appellant has retired on 31.12.2014. He further submits that in view thereof, the writ appeal may also be disposed of with the above observations.

We accordingly dispose of the writ appeal with the following observation:

“The respondents shall pay retiral benefits, if any, to the appellant as early as possible and preferably within three months from the date of receipt of this order.”

At this stage, we are informed that the respondents have already paid the retiral benefits and what according to them remains to be paid is only leave encashment. That being so, it is open for them to pay the said amount. If the appellant claims any other dues, it is open for him to make representation to the respondents giving all particulars of such demand within two weeks from today. If any such representation is made, the respondents shall consider the same and inform the appellant about the dues, if any within a period of three months from the date of receipt of the representation.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

A.RAMALINGESWARA RAO,J

Dt:24.03.2015

kdl