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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.405/2016
IN
WRIT PETITION NO.10149/2013

Rajesh Gangabishan Baheti.

...Applicant..

Versus

Shri Guru Buddhiswami Mahavidyalaya,
Purna & others.

...Respondents...

.....

Shri S.S. Bora, Advocate for applicant.

Shri U.B. Bilolikar , Advocate for respondent nos.1 & 2.

Shri R.B. Narwade, Advocate for respondent no.3.

Shri D.R. Korde, AGP for respondent nos.4 & 5.

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CORAM: RAVINDRA V. GHUGE, J.

DATE: 08.02.2016

ORDER :

1] The applicant has challenged the order dated 10.11.2015 by which the respondent no.4 has directed the payment of monthly salary only for the days on which the applicant has worked. However, while doing so, he has passed an order that the applicant shall not be paid his salary for the periods of vacation, which is apparently against the rules.

2] Shri Ravindra s/o Chandrashekhar Balapure i/c Joint Director, Vocational Education and Training, Regional

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Office, Aurangabad, is present in the Court. Learned AGP submits on instructions that the respondent no.4 - Shri P.L. Dalvi, who has passed the impugned order has retired. Shri Balapure - respondent no.5 shall ensure that the salary bills forwarded by the respondent no.2 shall be considered and sanctioned within one week and the applicant shall be paid his salary as per rules for the whole year as long as the approval is continued.

3] Considering the controversy and the earlier orders passed by this Court in the writ petition, the respondent nos.4 & 5 are cautioned not to pass orders, which are against the rules merely because the litigation involving the management and some of its employees is subjudice in this Court.

4] The statement made by Shri Balapure is recorded and on the basis of the said statement, the impugned order is set aside. This civil application is, therefore, allowed in terms of prayer clause (B).

(RAVINDRA V. GHUGE, J.)