

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.7008 OF 2014
(Pravin Trimbak Kulkarni Vs. The State of Maharashtra and others)
IN
WRIT PETITION NO.7905 OF 2005

Mr.Parag Shahane h/f Mr.P.L.Shahane, Advocate for the applicant.
Mr.S.B.Joshi, AGP for respondent Nos.1 to 4.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/10/2016

PER COURT :

1. I have heard the learned Advocate for the applicant and the learned AGP on behalf of the respondents.

2. The grievance of the applicant / original respondent is that he is being paid monthly salary of Rs.611/- from 01/10/1991. Even today, the applicant is paid the same salary on the pretext that the writ petition filed by the State has been admitted and the judgment of the Industrial Court granting regularization to the applicant/ employee has been stayed.

3. Learned AGP has relied upon the affidavit in reply dated 09/03/2015 wherein it is admitted that he is being paid Rs.611/-. However, it is not disputed that the applicant is in employment and is

working with the original petitioners.

4. Considering the above, it is apparently inhuman to extract work from the applicant and pay him a monthly salary of Rs.611/-. This application is, therefore, allowed, without prejudice to the rights of the litigating sides and subject to the result of Writ Petition No.7905/2005, in terms of prayer clause "B", which reads as under :-

"The respondents may please be directed to pay the applicant minimum basic salary of Rs.5,200/- p.m. towards his monthly salary during the pendency of the writ petition and till its disposal by way of and order of interim relief."

(RAVINDRA V. GHUGE, J.)