

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

24 CONT. PETITION NO. 411 OF 2016
IN WP/8701/2013

VIJAY RAMAN CHOUDHARI
VERSUS
SUDHIR U MESHRAM AND ANOTHER

...

Advocate for Petitioner : Mr. Patil Vinod Prakash
Advocate for Respondent Nos.1 and 2 : Mr. A. B. Girase

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 7th December, 2016

ORDER:

1. Mr. Patil, the learned counsel for the petitioner submits that in spite of the fact that this Court had restrained the respondents from terminating the services of the petitioner, in defiance of the said order, the services of the petitioner were terminated. The petitioner is not paid salary from March, 2015 to 29th July, 2015.

2. Mr. Girase, the learned counsel appearing for respondents 1 and 2 submits that the petitioner has signed muster only up to May, 2015. The learned counsel submits that termination order is set aside by this Court. The respondents had explained the circumstance under which the said order came to be issued. It is not

a case of deliberate and willful disobedience of the orders of the Court.

3. We have considered the submissions.

4. As far as the order terminating services of the petitioner during pendency of the Writ Petition No.8701 of 2013 and during operation of the interim order is concerned, the same need not be dilated as, this Court, while passing the final judgment in the said writ petition, has considered it.

5. The petitioner certainly would be entitled to salary till the pronouncement of the judgment in the writ petition as the interim order was continued till pronouncement of the judgment. Naturally, when the respondents, inspite of interim orders being in operation, had terminated the services of the petitioner, the petitioner could not have signed the muster. Be that as it may, interest of justice will be subvsered by passing the following order:

6. The respondents shall pay salary to the petitioner from March, 2015 to 29th July, 2015, expeditiously preferably within three months from today. After verifying the record, if any payment is

made for the period between March, 2015 to 29th July, 2015, the same shall be adjusted.

7. Contempt petition stands disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC