

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION*

WRIT PETITION NO. 3472 of 2012

The Chairman

Dyanvardhinin Shikshan Sanstha

Shahupuri, Satara & anr.

.. Petitioners

Vs.

Rashmi Ramesh Ingawale & anr.

.. Respondents

Mr.Venkatesh Shastry i/b M.S.Athale, for Petitioners.

Ms.Pranita Hingmire, for Respondent No.1.

CORAM: N.M. JAMDAR, J.

Friday, 29 January 2016

PC.:

The Petitioner-Management has challenged the order passed by the School Tribunal dated 30 August 2011. In the order dated 17 September 2012. It is noted that the Respondent No.1 is granted only 50 per cent back wages for two and a half months and that pursuant to the impugned order the Respondent is in service since 21 July 2009. Thereafter none appeared for the Petitioners on 12 October 2012. On 23 October 2012 since none appeared for the Petitioner, petition was dismissed for default. It was restored by allowing Civil Application on 18 February 2014. On 18 February 2014, the matter was adjourned at the request of the Petitioner. On the last date none appeared for the Petitioners. Today when the matter is called, request is made on behalf of the Petitioners for adjournment.

2. The learned counsel for the Respondent states that back wages directed to be paid are only 50 per cent of two and a half months. Considering the consistent conduct of the Petitioners in prosecuting this petition, any further indulgence will be only on the condition of deposit of back wages in this Court. Stand over to 12 February 2016.

3. If the back wages are not deposited before the next date, the Petition will stand dismissed for non-prosecution.

(N.M.Jamdar, J.)