

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 666 OF 2015

Sanjay Ramnarayan Dubey Vs. State of Mah. Edu. Deptt. & Ors.

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Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri S. P. Bhandarkar Adv for petitioner.
Shri N. Joshi AGP for respondent nos. 1 & 2.
Shri A. D. Dangore Adv for respondent nos. 3 & 4.

**CORAM: SMT. VASANTI A. NAIK &
A. S. CHANDURKAR JJ.**

DATED: 20 JANUARY, 2016.

By this petition, the petitioner seeks a direction to the respondent nos. 3 and 4 to pay the unpaid salary of the petitioner within a time frame.

According to the petitioner though the petitioner is working with the respondent since 2006, the respondent nos. 3 and 4 have not paid the salary to the petitioner since his appointment till date.

The respondent nos. 3 and 4 have filed an affidavit in reply on 21.09.2015. It is stated therein, that the petitioner has been paid the salary for the service period through the bank. It is stated that there are no dues payable to the petitioner except the

amount of Rs. 46,569/- towards the arrears of salary after deducting the amount towards professional tax, L. I. C. etc.. It is stated in the affidavit in reply that the respondent nos. 3 and 4 are ready to pay the said amount to the petitioner. It is also stated on behalf of the respondent nos. 3 and 4 that though the major part of the money claim made by the petitioner is barred by limitation respondent nos. 3 and 4 are willing to pay a sum of Rs. 46,569/- to the petitioner. It is stated that the petitioner is no more in service from October 2015.

In view of the statements recorded herein above, we dispose of the writ petition with a direction to the respondent nos. 3 and 4 to pay a sum of Rs. 46,569/- to the petitioner towards the arrears of salary within a period of four weeks, as we are not inclined to decide the disputed questions of facts involved in the writ petition in exercise of the writ jurisdiction. Order accordingly. No costs.

JUDGE

JUDGE