

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAW NO. 848/2016 IN WRIT PETITION NO. 71 OF 2015

(Ku. Pratibha Dnyanobaji Ridhorkar vs. State of Maharashtra thr. its Secretary, Department of Social Welfare & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
KUM. I.K. JAIN, JJ.
JUNE 06, 2016.**

Heard Ms. Deshputre, Advocate holding for Shri P.B. Patil, learned counsel for the applicant/ petitioner and Shri B.M. Lonare, learned AGP for respondent Nos. 1 to 3.

In Writ Petition No. 71 of 2015, the petitioner claimed arrears of salary for the period from 01.09.2009 to 24.06.2011 as also from 09.03.2012 to 16.04.2013. The petition was filed in the backdrop of earlier order dated 04.03.2013 in Writ Petition No. 4652 of 2012.

While disposing of writ petition, this Court has in that light noted that to support claim for salary for the period from 01.09.2009 to 24.06.2011 with increments, an order dated 15.12.2011 was relied upon. By that order, the School of the petitioner was made over to Respondent Nos. 4 & 5 in the petition. We have, therefore, observed that if the petitioner during that period was in the very same school, her salary ought to have been paid. The petitioner was, therefore, given liberty to move appropriate representation.

Today, it is not in dispute that the salary of the

petitioner for the said period has already been paid. The petitioner seeks modification by moving this civil application. The grievance is, entitlement of the petitioner to salary for the period from 09.03.2012 to 16.04.2013 though worked out, said period does not find mention in High Court order.

In the light of above discussion, as we had already granted leave to the petitioner to make representation, we again grant her leave to make a representation pointing out that during this period in dispute also, she worked or offered to work in the very same school and, therefore, she is entitled to salary for that period.

If such a representation is made within a period of four weeks from today, Respondent No. 2 in Writ Petition No. 71 of 2015 or other competent authority shall take appropriate decision upon it within a further period of eight weeks.

Thus, civil application is partly allowed and disposed of. No order as to costs.

JUDGE

JUDGE

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