

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

WRIT PETITION NO.5580/2016

Shri Ravindra Ambadas Pande

...Versus...

The Chief Executive Officer, Zilla Parishad, Yavatmal and others

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

Court's or Judge's orders

Shri S.P. Chintakuntalwar, Advocate for petitioner
Shri D.A. Sonwane, Advocate for respondent nos.1 to 3
Shri S.G. Joshi, Advocate for respondent no.4

**CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : 09.12.2016

By this petition, the petitioner challenges the order of the respondent- Zilla Parishad, dated 10.5.2016, informing the petitioner that the payment of salary would not be made to the petitioner, as the petitioner had not worked for almost five months.

Shri Sonwane, the learned Counsel for the respondent nos.1 to 3 states by referring to the affidavit-in-reply filed on behalf of the respondent nos.1 to 3 and on oral instructions that the departmental enquiry is being conducted against the petitioner, but the petitioner is not suspended and the salary of the petitioner is regularly released by the respondent nos.1 to 3. It is stated that the petitioner was continuously absent

for a period of 91 days and the dispute pertaining to the salary payable to the petitioner for the said period is pending before the Chief Officer of the Zilla Parishad. It is stated that the salary for 91 days, during which the petitioner wrongly claims to have been on medical leave, is withheld but otherwise there are no arrears of salary.

It appears from the submissions made on behalf of the respondent nos.1 to 3 that the entire salary is paid to the petitioner barring the salary for a short period, in respect of which the matter is referred to the Chief Officer of the Zilla Parishad.

Hence, by leaving the question of salary for the said period open, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

Wadkar