

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

WRIT PETITION NO.6548 OF 2016

[Dr. (Mrs.) Vrunda Brahmanand Karanjekar .vs. The State of Maharashtra 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 B.G. Kulkarni, Advocate for the petitioner,
Smt. H.N. Prabhu, AGP for respondent nos.1 and 2,
Shri A.S. Agrawal, Advocate holding for Shri P.B. Patil, Advocate for
respondent nos.3 and 4.

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

DATED : DECEMBER 15, 2016.

By this writ petition, the petitioner seeks a direction against the respondents to release the regular salary of the petitioner for the post of Principal from 1.10.2016 in view of the entitlement of the petitioner to continue in service up to the age of 65 years in terms of Government Resolution, dated 12.7.2016.

According to the petitioner, by the Government Resolution, dated 12.7.2016, the age of retirement of the Principals of colleges situated in rural, tribal and hilly areas is extended up to 65 years, subject to eligibility. It is stated that though the petitioner was to retire on attaining the age of 62 years on 30.9.2016, in view of the Government Resolution dated 12.7.2016, the petitioner is entitled to continue in service, till the age of 65 years as the college in which the petitioner is working as a Principal is located in rural area. It is stated that it would be necessary for the respondents to release the salary to the petitioner.

Smt. Prabhu, the learned Assistant Government Pleader

appearing on behalf of the respondent nos.1 and 2 states on the basis of the affidavit-in-reply filed on behalf of the Joint Director of Higher Education that as per the resolution dated 12.7.2016, the age of retirement of the Principals, that are working in rural, tribal and hilly areas, is extended from 62 to 65 years. It is stated that, however, as per the Government Resolution dated 21.8.2015 the salary would be paid to the employees on-line HTE sewarth system. It is stated that till the policy of paying the salary on-line HTE sewarth system is implemented in respect of the petitioner, the petitioner would be paid the salary off-line.

In view of the statements made by the learned Assistant Government Pleader, that are based on the affidavit-in-reply filed on behalf of the respondent no.2, the learned counsel for the petitioner states that the grievance of the petitioner would stand redressed.

Hence, by accepting the statements made on behalf of the respondent no.2, that would be binding on the respondent nos.1 and 2, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE