

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

WRIT PETITION NO. 1406 OF 2005

Aadhyapak Shikshan Mandal,
Dhule and another

...Petitioners

VERSUS

Smt. Meera Adhar Mail & anr.

...Respondents

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Shri S.R.Barlinge, advocate for petitioners

Shri V.D.Sapkal, advocate for respondent no. 1

Shri R.S.Shinde, advocate for respondent no. 2

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CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 4th January, 2017

PER COURT :-

We have heard Mr. Barlinge, learned counsel for the petitioner, Mr. Sapkal, learned counsel for respondent no.1 and Shri Shinde, learned counsel for respondent no.2.

2. It is submitted by Shri Barlinge, learned counsel for the petitioner that though the order passed by the Grievance Committee,

impugned in the present petition, is without jurisdiction, the management has agreed to reinstate the petitioner provided the petitioner does not claim any monetary benefits for the period the respondent no.1 was terminated till the date of reinstatement.

3. Mr. Sapkal, learned counsel for respondent no.1 employee agrees to the same. The respondent no.1 has filed a purshis stating that she will not claim back wages as per the order of the Grievance Committee till today. The said purshis is accepted and taken on record and marked 'X' for identification.

4. In the light of above, we pass following order.

(i) The petitioner shall reinstate the respondent no. 1 immediately. The respondent no.1 shall not be entitled for back wages from the date of her termination till the date of this order. However, the said period shall be counted for the purpose of continuity and further consequential benefits including benefits of retirement.

(ii) The petitioner has deposited an amount of Rs. 1,31,318/- in this Court. The said amount is allowed to be withdrawn by the respondent no.1 along with accrued interest, if any.

(iii) Rule is accordingly made partly absolute.

No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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