

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

**CIVIL APPLICATION NO. 16481 OF 2016
IN
WP/8779/2005**

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
JAGANNATH JANARDHAN JOSHI AND OTHERS

...

Advocate for Applicants : Mr M B Bharaswadkar AGP

...

CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.

Dated: January 20, 2017

...

PER COURT :-

1. The learned AGP submits that present application is filed for modification of the order to the limited extent of grant of interest @ 6% p.a on the amount due in view of the prohibiting clause in the Government Resolution dated 22.11.1994. The learned AGP relies on the Government Resolution dated 22.11.1994 to substantiate that, when there is no willful delay but the delay is caused on account of administrative reasons, interest is not to be awarded.

2. Grant of interest is discretion of the Court. The Court while passing the order on 14.10.2015 in Writ Petition No. 8779/2005 has observed that the petitioner was not

at all at fault. After many years of continuous service, University acted illegally. This Court quashed and set aside the order. This Court, on merits, has considered that the petitioner was wronged and the Executive counsel of the University illegally issued a show cause notice and withdrawn the approval to the appointment of the petitioner as Principal. The Court has given reasons. In view of that, Civil Application is disposed of. No costs.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

...

aaa/-