

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 1205 OF 2016

Shri. Sagar Rajaram Sutar

.....Petitioner

V/s.

All India Council for Technical Education
(AICTE) and Ors

....Respondents

Mr. Manoj Patil i/b Mr. Ashish Pawar for Petitioner.

Mr. A. I. Patel a/w Ms. R. A. Salunkhe AGP for Respondent nos. 1, 2 & 7.

**CORAM : NARESH H. PATIL &
Z. A. HAQ, JJ.**

DATE : 22nd SEPTEMBER 2017.

P.C.

1 The petitioner claims that he was appointed on 02/08/2005 and resigned on 13/07/2010. The counsel appearing for the petitioner submits that certain communications were made to the Management in respect of claims of arrears of salaries, all benefits of 6th Pay Commission. Writ Petition was preferred to this Court bearing Writ Petition No. 7552 of 2012. By an order dated 11/6/2014, this Court passed following order.

“2. The petitioner claims benefits of 6th Pay Commission. A representation has been made by the petitioner to respondents 5 and 6 which is still kept pending according to learned Counsel. We have heard the submissions of learned Counsel appearing for contesting parties. Without expressing any opinion on the merits of the claim of the petitioner, we dispose of the petition by directing respondents 5 and 6 to decide the pending representation dated 18th May, 2012 of the petitioner within two months on its own merits. The decision of the management shall be communicated to the petitioner. In case the petitioner is aggrieved by the decision, the petitioner is at liberty to resort to appropriate remedy.”

2 The learned counsel appearing for the petitioner submits that Management has communicated to the petitioner on 05/08/2014 in respect of the various claims of the petitioner. The counsel therefore prays issuing appropriate directions to the Management in accordance with the prayers.

3 We have perused the record placed before us. The issues relating to the appointment, discharge of his duties, attending workshop and other monetary claims regarding leave encashment, salary in accordance with 6th Pay Commission benefits, issue relating to gratuity in accordance with 5th Pay Commission and all other connected issues could be gone into by alternate Forum entrusted with the power of enquiry into the questions of facts.

4 In exercise of writ jurisdiction in the facts of the case, we are of the view that the petitioner may resort to appropriate alternate remedy as permissible in law. We are keeping all issues on merits open.

5 Writ petition is disposed of.

[Z. A. HAQ, J.]

[NARESH H. PATIL, J.]