

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

Writ Petition No. 4727/2016

Dr.Vijay Ramkrishnaji Bagde

Vs.

The State of Maharashtra, through its Secretary, Department of Higher and
Technical Education, Mantralaya, Mumbai and 4 others

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

Court's or Judge's orders.

CORAM : B.P.DHARMADHIKARI and
MRS. SWAPNA JOSHI, JJ.

DATE : FEBRUARY 15, 2017

We have heard Advocate Shri B.G. Kulkarni for petitioner, Shri Rode, AGP for respondent nos. 1 to 3, Advocate Shri Rahul Khade for respondent no.4 and Advocate Shri A.R. Fule for respondent no.5.

Entitlement and eligibility of petitioner to receive benefit of senior scale and selection grade is not disputed.

Respondent no.5, employer, has pointed out that accordingly it has drawn a proposal and sent it to respondent no.4-University. Respondent no.4-University in affidavit-in-reply has stated that the said proposal is pending with respondent no.3 - Joint Director of Higher Education. Respondent no.3 has

stated that his office has not received the said proposal.

We do not wish to go into the disputed question. Respondent no. 4 - University can send one more copy to respondent no.3 within a period of two weeks. After such copy is received or original is received, respondent no.3 can process it in accordance with law in next four weeks.

Thus, all disputed question can be looked into by respondent no.3 while undertaking that process. The amount becoming due and payable to the petitioner shall then be released in next eight weeks.

Acceptance of that amount shall not preclude the petitioner from questioning the correctness of the amount received by him.

With this direction, we dispose of the petition. No costs.

JUDGE

JUDGE

Andurkar