

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

WRIT PETITION NO. 8720 OF 2017

Prakash Tatiram Patil .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. Ajay G. Talhar, Advocate for Petitioner.

Shri. P. N. Kutti, A.G.P. for Respondent/State.

**CORAM : S.V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATED : 11th June, 2018

PER COURT:

. Mr. Talhar, learned advocate for the petitioner submits that the respondents be directed to pay the salary of the petitioner for the period 01.05.2000 to 30.09.2006. The letter dated 07.06.2011 is per se illegal and could not have been issued by the respondent impeding upon the rights of the present petitioner. The right which the statute provides could not have been taken away by the respondent by issuing such a letter.

2. The claim for the salary of the period 01.05.2000 to 30.09.2006 can not be entertained after the long slumber of 11 / 12 years. Moreover, the petitioner was initially terminated in the year 2012. Till that date no claim was made by the petitioner. It is submitted that the petitioner is subsequently reinstated. Be that as it may, the claim at this stage can not be entertained.

3. As far as the letter dated 07.06.2011 is concerned, we may not be required to go into the merits of the same as we have refrained from entertaining the petition for the wages from the year 2000 to 2006.

4. However, the petitioner if he is entitled to do so may raise issues with regard to continuity or otherwise before the appropriate forum. Writ petition is disposed of. No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]