

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8321 OF 2018
IN WP/5033/1999

CHITRALEKHA SHANKARRAO HIWRALE
VERSUS
RAVISUT VYAYAM AND PROBODHAN SHIKSHAN SANSTHA
AURANGABAD THROUGH PRESIDENT AND OTHERS

...
Dr. R.J. Godbole, Advocate for applicant
Mr. S.P. Tiwari, AGP for respondent-State
Mr. C.D. Fernandes, Advocate h/f Mr. A.N. Kakade, Advocate for
petitioner in W.P.

...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 10-08-2018

ORDER :

1. Heard counsel *amicus curiae* Dr. R.J. Godbole for the applicant and learned counsel for respective respondents.
2. Learned *amicus curiae* points out that since 1997, the petitioner has been reinstated pursuant to the orders of tribunal and has been working. In 2010, she retired on superannuation. The tribunal had delivered judgment in 1999. Petition has been preferred thereafter. He submits that it is an indisputable position that petitioner has been factually working since 1997 to the date of her superannuation and, as such, she is entitled not only to the amount deposited but certain other benefits, including arrears and pensionary benefits.

3. Learned AGP purports to resist, stating that the management had raised dispute over her appointment and in the circumstances, if the writ petition is allowed, the amount will have to be repaid.

4. Learned counsel for original petitioner also purports to resist, however, is not in a position to dispute veracity of the factual position about applicant been working since 1997 to 2010.

5. In view of aforesaid position and the orders passed by this court from time to time, civil application is granted in terms of prayer clause (B) and is disposed of.

[SUNIL P. DESHMUKH]
JUDGE

arp/