

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2743 OF 2018

Mrs. Vidya w/o Laxman Rane

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. R.S. Sarvadnya, advocate for petitioner.

Mr. C.S. Kulkarni, A.G.P. for respondents 1 and 2.

CORAM : R.M.BORDE &

K.K. SONAWANE, JJ.

DATE : 14th MARCH, 2018

PER COURT:

1. Petitioner is claiming for issuance of directions to respondents to pay arrears of salary for a period between 01.10.2011 to 31.07.2012. According to petitioner, he has worked during the aforesaid period however, he has not been paid salary.

2. Firstly, the issue as regards payment of arrears of salary can be agitated before the alternate forum and secondly, a belated request beyond a period of three years from the date of accrual of cause of action need not be entertained. The third reason for refusing to entertain the petition is that the petitioner had on earlier occasion approached this Court by presenting Writ Petition No. 12033/2015. Respondents contended in the aforesaid petition that it appears from the record maintained by the office of the concerned respondent, the petitioner did not work during the aforesaid period. This Court, while dealing with the issue, has

observed in paragraph no. 3 of the order that since contradictory stands are taken, it is not possible for the Court to enter into the disputed questions of fact and adjudicate the issues raised in the petition.

3. Since the petitioner had approached this Court on earlier occasion for the aforesaid cause and his contentions have been considered and decision is rendered, instant petition raising same issue and making the same grievance need not be entertained. Petition is devoid of substance hence stands rejected.

4. Pending civil application, if any, does not survive and stands disposed of.

K. K. SONAWANE
JUDGE

R.M.BORDE
JUDGE

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