

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

MCA (REVIEW) NO. 713 OF 2018 IN
WRIT PETITION NO. 1162 OF 2018

(Shri Panchamurti Education Society, Nagpur thr. its Secretary Shri Shriram Narayanrao Behare
vs. the Education Officer (Primary), ZP, Nagpur & Anr.)

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

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI &
Z.A. HAQ, JJ.
JULY 13, 2018.

Heard Shri N.D. Khamborkar, learned counsel
for the applicant/ petitioner.

2. The submission is, when the petitioner in Writ
Petition No. 1162 of 2018 (Sau. Shobha Revanand Atkari)
was under suspension, in terms of Rule 35 of the
Maharashtra Employees of Private Schools (Conditions of
Service) Rules, 1981, only subsistence allowance was
payable and hence the direction to pay full salary is an
apparent error.

3. In Writ Petition, prayer (i) is to reinstate and by
later part of that prayer, there is also a relief of direction to
pay full salary on the ground that 120 days of suspension
period has been completed.

4. In the backdrop of this prayer, we have observed
in the order that the petitioner's grievance was pertaining to
difference between the subsistence allowance and full salary
for the period from 08.07.2017 up to 28.02.2018. This
order is passed on 08.06.2018, after noting admitted

position that the petitioner was receiving full salary from 01.03.2018. Thus, on that day, no objection to this grievance was raised.

5. In this situation, we find the prayer for review erroneous. MCA is rejected. No order as to costs.

6. The learned counsel for the applicant seeks extension of time of seven days to comply with the directions of this Court.

7. As an exceptional matter, we extend that period by two weeks more.

JUDGE

JUDGE

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