

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 686 OF 2019**

Balkrishna Dhondu Barde.,

.... **Petitioner.**

Versus

Sateri Vidya Mandir High School,
Thr. Its' Manager, Madhukar N.
Sawant And 4 Ors.,

... **Respondents.**

Mr. Abhijit P. Gosavi, Advocate for the Petitioner.

Mr. Gaurish N. Agni, Advocate for Respondents No. 1 and 6.

Mr. Manish D. Salkar, Government Advocate for Respondents No. 2,
3, 4 and 5.

Respondent no. 6 present in person.

**Coram : M. S. SONAK &
NUTAN D. SARDESSAI, JJ.**

Date : 11th September, 2019.

Oral Order: (Per M. S. Sonak, J.)

Heard Mr. A. Gosavi, learned Counsel for the Petitioner,
Mr. M. Salkar, learned Government Advocate for Respondents no. 2
to 5 and Mr. G. Agni, learned Counsel for Respondent no. 1 and 6.

2. In pursuance of orders made by us from time to time in
this Petition, the General Provident Fund amount of the Petitioner
has already been released. As such, the main grievance of the

Petitioner in this Petition stands redressed.

3. However, since we were not satisfied with the conduct of Respondent no. 1 and 6, we directed them to file affidavit explaining the delay in the release of this amount or rather, the delay in processing the Petitioner's application for release of his amount.

4. The Respondent no. 6 has now filed an affidavit. On the perusal of the affidavit, we are really not satisfied with the explanation tendered. At the stage of processing the Petitioner's application for release of his own Provident Fund amount, the Respondent no. 1 and 6 went to the extent of requiring the Petitioner to produce approval for his appointment as Trained Graduate Teacher with retrospective effect from 16.07.1985. According to us, such a requirement, was totally extraneous and alien to the issue of processing the Petitioner's application for withdrawals from his own General Provident Fund account.

5. Accordingly, we were inclined to impose exemplary costs upon the Respondents no. 1 and 6. However, upon persuasion of Mr. Agni who, too, has taken quite a reasonable approach in the matter, we refrain from doing so. However, the Respondent no. 6 who is present in person has offered to pay costs of Rs. 5,000/- to the Petitioner.

6. Mr. Gosavi, learned Counsel for the Petitioner quite graciously submits that the costs may be paid to the Legal Services Authority.

7. Accordingly, we dispose of this Petition by reiterating our earlier orders and further direct the Respondent no. 6, in terms of his offer, to deposit the amount of Rs.5,000/- with the Legal Services Authority within a period of four weeks from today.

8. This Petition is disposed of in the aforesaid terms.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

msr.