

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

WRIT PETITION NO. 7120 OF 2015

Shri Ashok Mumkund Deokule .. Petitioner
Vs.
The Chairman, Grievance Cell Committee,
Pune University & Ors. .. Respondents

Mr. Ajit J. Kenjale for the Petitioner.
Mr. M. M. Pabale for Respondent No.5.

CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.
DATE : 13th JUNE, 2019.

P. C. :

1. The Writ Petitioner retired as an employee of 4th Respondent established by the 3rd Respondent. It appears that the college is either affiliated or constituent college of University. We note that there are no averments in the Petition to said fact. Grievance in the Petition is to encashment of the accumulated leave credited in the leave account of the Petitioner with Respondent No.4.
2. The Writ Petition is drafted as it liability to pay the leave encashment is of the State Government.
3. Learned Counsel for the Petitioner states that the liability, if at all,

would be that of the college.

4. Needless to state that averments had to be made in the Petition relating to the Rules, Regulations, Ordinance or Statutes of the University requiring colleges affiliated or constituent colleges of the University to pay leave encashment. There being no such averments, we permit the Petitioner to withdraw the Petition with right reserved to file a fresh Petition claiming entitlement of leave encashment against the college and the constituent trust.

5. Hence, the Writ Petition is disposed of as not pressed with liberty as above.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]