

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6248 OF 2013

Kum. Malvade Vaishali Shriram	..Petitioner
Vs.	
State of Maharashtra & ors.	..Respondents

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Mr. Sarang S. Aradhya for petitioner.
Mr. S.B. Kalel, AGP for State – respondent Nos. 1 to 3.
Mr. V.V. Salunke for respondent No.4.

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**CORAM : S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.**

DATE : 8th JANUARY, 2019

P.C. :

Having heard both sides and finding that the Writ Petition survives only for the relief in terms of prayer clause (c) and the issue being covered by several Division Bench orders of this Court, this Writ Petition disposed of with following order :-

ORDER

- (a) Rule. Learned AGP waives service for respondent Nos. 1 to 3. Mr. Salunke waives service for respondent No.4.
- (b) By consent, Rule is made returnable forthwith.

2. It is conceded that Division Bench order dated 30th November, 2009 in Writ Petition No. 242 of 2009 and the order of 15th March, 2013 in several Writ Petitions, all passed by this Court, conclude the controversy in this Petition. That being identical to the issue dealt with by the Division Bench in the above orders, this Writ Petition is allowed.

3. It is directed that the Management before us represented by Mr. Salunke shall compute the arrears of salary of the petitioner No.1 and release the sums as expeditiously as possible and, in any event, within a period of two months from today. In the event the second respondent fails to comply with the order and direction of this Court, then, the amount shall carry interest at the rate of 8% per annum till payment. In the event there is a default, then, the Education Officer (Secondary) Zilla Parishad, Pune, shall initiate such proceedings as are permissible in law against the second respondent – Management, including withdrawal of recognition for non-compliance of the orders passed by this Court.

(M.S. KARNIK, J.)

(S.C. DHARMADHIKARI, J.)