

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

Writ Petition No.6581 of 2017

Pramod s/o Pralhad Tagalpallewar

Versus

State of Maharashtra, through its Secretary, Department of Higher and Technical Education, Mantralaya, Mumbai, and others.

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri R.L. Khapre, Advocate for Petitioner.

Shri N.S. Rao, Assistant Government Pleader for Respondent Nos.1 to 4.

Shri J.B. Kasat, Advocate for Respondent Nos.2 and 3.

Shri N.P. Lambat, Advocate for Respondent No.5.

Coram : R.K. Deshpande & Vinay Joshi, JJ.

Date : 26th June, 2019

Shri R.L. Khapre, the learned counsel appearing for the petitioner, has tendered a pursis dated 26-6-2019, which is taken on record and marked 'X' for identification. This petition can be disposed of in terms of the said pursis; the contents of which, are reproduced below :

“1. That, in accordance with the judgment passed by this Hon'ble court in writ petition no.1276/2013, the petitioner has submitted his representation dated 26/05/2017 containing details of his claim in the matter of pay fixation including selection grade. That, copy of same is already annexed with his petition at ANNEXURE 7. That, the respondent management be directed to send said representation dated 26/05/2017 of petitioner to respondent no.4 within 15 days along with their

objections and documents and date, if any, for deciding the claim of petitioner in respect of placement into selection grade.

2. *That, the respondent no.4 be kindly directed to give hearing to the petitioner as well as to the respondent management and shall thereafter decide the claim of petitioner within six (6) months.*

3. *That, the claim of petitioner in respect of arrears of salary on the basis of last drawn pay shall be treated as withdrawn with liberty to petitioner to add/join himself in writ petition bearing no.4233/2018 (Manzoor Ahmed vs State) and the respondent management shall not object to such withdrawal and thereafter addition of petitioner to abovesaid petition pending before this Hon'ble court.*

4. *That, the claim of petitioner for additional arrears on or above last drawn salary shall be decided by respondent no.4 and for recovery of said amount as determined by respondent no.4, the petitioner can independently pursue such remedy as may be available to him under law.'*

Hence this pursis.”

So far as the contents of Para 1 of the pursis are concerned, Shri J.B. Kasat, the learned counsel appearing for the respondent Nos.2 and 3, the Principal and the Management respectively, has invited our attention to the reply dated 10-11-2017 deciding the representation of the petitioner submitted on 26-5-2017 and submits that the

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representation dated 26-5-2017 along with the decision dated 10-11-2017 shall be forwarded to the respondent No.4- Director of Technical Education, who shall take the same into consideration and after following the procedure, as has been agreed in the pursis, pass an order within a period of six months from the date of first appearance of the parties before him.

The petition stands disposed of.

(Vinay Joshi, J.)

(R.K. Deshpande, J.)

Lanjewar