

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

WRIT PETITION 3113 OF 2016

Niranjan Shikshan Sanstha Nagpur and another.
V/s
Sou Rajashree w/o Diliprao Thakre and others.

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

Court's or Judge's orders.

Shri B.B. Kulkarni, counsel for petitioners.
Shri A.D.Mohgaonkar, counsel for respondent 1/Caveator.
Shri N.R. Patil, AGP for respondent 2.

CORAM: ROHIT B. DEO, J.

DATE: 07.10.2019.

This Court has passed the following order on
23.09.2019 :-

“The Tribunal has directed reinstatement with 25% back-wages.

2. Concededly, there is no interim order operating.

3. However, it is common ground that the order of the Tribunal has not been complied with in full inasmuch as it is only on 01.01.2018 that the employee is reinstated. It is further not disputed that employee has not even received the salary for the period 01.01.2018 and onwards.

4. Be that as it may, while the payment of salary from 01.01.2018 and onwards may be dependent on grants, there is no justification for not complying with the order of the Tribunal for the earlier period.

5. Shri B.G. Kulkarni, learned counsel for the management assures the Court that if two weeks time is granted a substantial amount shall be paid to the respondent -1. The statement is accepted as an undertaking to the Court.

6. Stand over to 07.10.2019.”

2] Today, the petitioner 1 has filed on record an affidavit stating that Rs. 2,00,000/- shall be paid as the first installment of the salary payable to respondent -1 for the period 15.07.2015 to 31.12.2017. The learned counsel for the petitioner has handed over a cheque for the said amount to Shri A.D.Mohogaonkar the learned counsel for respondent-1.

3] Shri B.G. Kulkarni, learned counsel for the petitioners states that further amount of Rs. 2,00,000/- shall be paid on or before 31.10.2019. Shri B.G. Kulkarni, learned counsel for respondent -1 states that there is a typing error in the affidavit and the date is incorrectly typed as 31.12.2019. The statement is accepted.

4] If the second installment of Rs. 2,00,000/- is not paid on or before 31.10.2019, the petition shall stand dismissed without further reference to Court.

5] Stand over to 02.01.2020.

JUDGE