

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

CIVIL APPLICATION (CAW) 2548/2019
IN
WRIT PETITION NO. 1145 OF 2017 (Decided)

Chhaya d/o Shankarrao Hulke.

Vs

Zilla Parishad, Wardha, through Chief Executive Officer 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 S.V. Sohoni, counsel for applicant/petitioner.
Ms Arti Singh, counsel for respondent 1.
Shri N.R. Patil, AGP for respondent-3.

CORAM: ROHIT B. DEO, J.

DATE: 30.09.2019.

Shri S.V. Sohoni, learned counsel for applicant /petitioner submit that the observation in paragraph 13 of the judgment dated 03.05.2019 is being interpreted by the Zilla Parishad to mean that the petitioner shall not be entitled to any arrears of salary.

2. Shri S.V. Sohoni, learned counsel for applicant/petitioner would submit that while the petitioner is entitled to promotional post of Senior Clerk w.e.f. 17.11.2011, which claim is upheld by this Court, the petitioner shall not be entitled to arrears of salary only till 08.05.2015 i.e. the date of completion of the inquiry. However, the petitioner shall be entitled to the arrears of salary for the period 09.05.2015 onwards.

3. Although Ms Arti Singh, learned counsel for respondent 1 opposes the said submission, the submission appears to be well merited.

4. The judgment impugned is modified to the extent it is declared that the petitioner shall not be entitled to arrears of salary from 17.11.2011 to 08.05.2015. Needless to say, the petitioner shall be entitled to arrears of salary for the subsequent period.

5. Civil application 2548/2019 is disposed of in the aforestated terms.

JUDGE