

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 1110 OF 2020**  
MAHENDRA HIRAMAN CHAVAN  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:  
Mr. B. L. Sagar Killarikar  
AGP for Respondents/State: Mr. K. B. Jadhavar  
Advocate for Respondents No. 7 to 9: Mr. V. D.  
Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 1127 OF 2020**  
VIJAY NATHA AADE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:  
Mr. B. L. Sagar Killarikar  
AGP for Respondents/State: Mr. K. B. Jadhavar  
Advocate for Respondents No. 7 to 9: Mr. V. D.  
Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 1122 OF 2020**  
UDDHAV PURUSHOTTAM BIDWAI  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:  
Mr. B. L. Sagar Killarikar  
AGP for Respondents/State: Mr. K. B. Jadhavar  
Advocate for Respondents No. 7 to 9: Mr. V. D.  
Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 1114 OF 2020**  
SACHIN SAWALIRAM DANGE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:

Mr. B. L. Sagar Killarikar

AGP for Respondents/State: Mr. K. B. Jadhavar

Advocate for Respondents No. 7 to 9: Mr. V. D.

Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 1128 OF 2020**

ANIL GOVINDRAO KALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:

Mr. B. L. Sagar Killarikar

AGP for Respondents/State: Mr. K. B. Jadhavar

Advocate for Respondents No. 7 to 9: Mr. V. D.

Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 13897 OF 2019**

SHAIKH BASHIR SHAIKH ABDUL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:

Mr. B. L. Sagar Killarikar

AGP for Respondents/State: Mr. K. B. Jadhavar

Advocate for Respondents No. 7 to 9: Mr. V. D.

Hon, Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 12830 OF 2019**

ANIL GOVINDRAO KALE AND OTHERS

VERSUS

MAHARASHTRA ACADEMY OF ENGINEERING AND EDUCATION  
RESEARCH, THROUGH ITS REGISTRAR AND OTHERS

...

Advocate for Petitioner:

Mr. B. L. Sagar Killarikar

AGP for Respondents/State: Mr. K. B. Jadhavar

Advocate for Respondent No. 2: Mr. V. D. Hon,

Senior Advocate i/b. Mr. A. V. Hon

...

**WRIT PETITION NO. 2079 OF 2020  
WITH  
CIVIL APPLICATION NO. 2919 OF 2020  
ANIL APPARAO KOLTE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner:

Mr. P. R. Patil

AGP for Respondents/State: Mr. K. B. Jadhavar  
Advocate for Respondents No. 4 & 5: Mr. V. D. Hon,  
Senior Advocate i/b. Mr. A. V. Hon

...

**CORAM: S. V. GANGAPURWALA &  
R. G. AVACHAT, JJ.**

**DATE: 02<sup>nd</sup> NOVEMBER, 2020**

**PER COURT:**

1. These group of writ petitions are filed by the employees against the management challenging orders of termination.

2. We have heard Mr. Sagar Killarikar, learned Counsel for the petitioners and Mr. Hon, learned Senior Advocate for the respondents.

3. After hearing the matter for some time, the deliberation took place as to whether the management would withdraw the orders of termination and the petitioners would waive back-wages to some extent.

4. Mr. Sagar Killarikar, the learned counsel submits that the petitioners would waive 50% of the back-wages whereas Mr. Hon, learned Senior Advocate upon instructions submits that the respondent would withdraw the termination orders, however it would not be possible to pay the back-wages because of the lock-down and the financial stringencies faced by the respondent. According to Mr. Sagar Killarikar, learned counsel for the petitioners, the balance sheet of the institution does not suggest that the respondent is facing financial crisis.

5. We need not enter into such debate. The grant of back-wages would be discretionary.

6. Considering the gesture on the part of the respondent of withdrawing the termination orders and also the gesture on the part of the petitioners that they are ready to waive the back-wages to some extent, we pass the following order.

7. The orders of termination passed against the petitioners by the respondent stands set aside as withdrawn.

8. The respondent / management shall pay the petitioners Rs.7,500/- per month towards back-wages from 10.08.2019 till today. The petitioners can re-join the duties from 03.11.2020.

9. Mr. Sagar Killarikar, the learned counsel for the petitioners, on instructions, submits that upon the petitioners joining their duties; the petitioners would withdraw the contempt petitions filed against the respondent / management and their office bearers bearing Contempt Petition No. 758 of 2019 and Contempt Petition No. 12861 of 2019. The statement is accepted.

10. The amount of arrears at the rate of 7,500/- from 10.08.2019 till date shall be paid by the respondent to the petitioners within one (01) month from today.

11. Writ Petitions stand disposed of in above terms. The Civil Application also stands disposed of.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

marathe