

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1899 OF 2019

Shukla Rameshchandra S. .. Petitioner

versus

Somaiya Education Trust & Ors. .. Respondents

Mr. C.R. Sadasivan for the petitioner
Mr. Kedar Dighe, AGP for respondent nos. 3 to 5

**CORAM : R.K. DESHPANDE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATED : 9th MARCH, 2020

P.C.

1. We are informed that since January, 2020, the petitioner is getting regular pension. It is also informed that the petitioner has received gratuity amount. The only grievance is in respect of non-payment of leave encashment and alleged unpaid salary of the petitioner from 15th September 2014.

2. The learned AGP, appearing for respondent nos. 3 to 5 submits that if the proposal is submitted by the respondent nos. 1 and 2 in respect of the balance post retiral dues, the same shall be cleared within a period of eight weeks thereafter.

3. We, therefore, direct the respondents management to forward complete proposal in respect of the dues of the petitioner's outstanding, if there is no other legal impediment, within a period of three weeks from today to respondent no.4. If the management or the Principal of the College has any objection; to grant / release of such amount, such objection should be separately raised and forwarded along with the proposal. The Joint Director of Higher Education shall hear the management and the petitioner and shall pass an order. In accordance with such order, action shall be taken.

4. If we find that the respondent nos. 1 and 2 have forwarded deficit proposal, the respondents will have to pay cost of Rs.500/- per day for each day of the default.

5. The petition stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)

(R.K. DESHPANDE, J.)