

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

**CIVIL APPLICATION NO.10452 OF 2021
IN WP/8023/2020**

**MAHARASHTRA GRAMIN BANK THR ITS BRANCH
CHAIRMAN AND OTHERS
VERSUS
ARCHANA MAHENDRA ARBAT AND OTHERS**

...
Advocate for the Applicant : Shri Shahane Pradeep L. a/w Shri
Parag P. Shahane.
Advocate for the Respondents/ Petitioners/ Employees : Shri
A.D. Kasliwal
...

**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 04th October, 2021

Per Court :-

1. By judgment dated 08.09.2021, which was dictated in open court, Writ Petition No.8023/2020 was allowed and the applicant/ Bank was directed to reinstate the petitioners/ employees on the positions which they had occupied by virtue of their appointments on compassionate basis. Their termination was held to be illegal. The bank was directed to reinstate the petitioners/ employees within two weeks.

2. This Civil Application has been filed by the

applicant Bank stating that the judgment dated 08.09.2021 was uploaded on 14.09.2021 and that the board meeting of the applicant Bank is likely to take place in the last week of October, 2021 or the first week of November, 2021. The copy of the communication received by Shri P.L.Shahane, the learned advocate representing the applicant Bank, dated 04.10.2021 is placed before us, which is marked as “X” for identification.

3. Clause 4 of the document “X” indicates the statement made by the General Manager of the bank that the bank would implement the order of this Court after apprising the board and getting directions from the board.

4. The learned advocate for the petitioners/ employees submits that they were already appointed on compassionate ground and based on misconceived information that their appointments are irregular, they were terminated and were made to work through the contractor. They have already lost the sole bread earners of their families and the entire family depends on the compassionate appointment. He submits that a short period may be granted by way of an extension.

5. The learned advocate for the applicant/ Bank submits, on instructions, that the bank does not desire to flout the

orders of this Court. The Bank will certainly implement the directions issued by this Court. It is only a matter of procedure that the board would direct the implementation of the orders of this Court.

6. In view of the above, this Civil Application is partly allowed with the following directions :-

(a) Time to reinstate the petitioners/ employees is extended till 25.10.2021.

(b) The board meeting of the applicant/ Bank can be urgently convened for dealing with this issue and such meeting of the Board of Directors can be held even by video conferencing.

(c) It may be noted that there would be no extension of time beyond 25.10.2021.

(d) The reinstatement of the petitioners/ employees shall be effective from 22.09.2021.

(e) The petitioners/ employees would be entitled for wages from the effective date of their reinstatement notwithstanding that the order of reinstatement would be issued on or before 25.10.2021.

(f) Unpaid salaries, as mentioned in paragraph 14 of the

judgment dated 08.09.2021, would be paid to the petitioners/
employees, on or before 30.10.2021.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)