

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3381 OF 2021

Raosaheb Jingonda Patil ... Petitioner

Versus

Seth Govindji Raoji Ayurvedic
Mahavidyala, Solapur & Ors. ... Respondents

.....

Mr. Manoj A. Patil for the Petitioner.
Mr. Neel G. Helekar for Respondent Nos.1 and 2.
Ms. Kavita N. Solunke, A.G.P for the State- Respondent Nos.3 to 5.

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**CORAM : R.D. DHANUKA &
R.I. CHAGLA, JJ.**

DATE : 9th AUGUST, 2021.

P.C. :-

1 Our attention is invited to the letter dated 03.01.2020 addressed by Deputy Director to the Principal of Respondent No.1-School and the order dated 31.07.2013 passed in Writ Petition No.5768 of 2012 filed by Respondent Nos.1 and 2. Mr. Patil, learned Counsel for the Petitioner would contend that by the said order this Court had already directed the State Government to process the pay bill submitted by the Petitioner (Respondent Nos.1 and 2 herein) in the light of the impugned order of reinstatement with full back wages with the benefit of continuity of service. It was made clear that for the purposes of fixation of pay of the Respondent therein (Petitioner

herein), he cannot be treated as a fresh employee w.e.f. 09.01.2013.

2 We accordingly direct Respondent Nos.1 and 2 to send the proposal if not sent in compliance with the said order dated 31.07.2013 passed by this Court in the said Writ Petition filed by Respondent Nos.1 and 2, within two weeks from today and shall also comply with the query raised by the Deputy Director vide letter dated 01.01.2020 simultaneously. Upon receipt of such reply to the query and the additional papers if any, the State Government shall pay all such post retirement service benefits including the arrears of pension and gratuity till date to the Petitioner within a period of two weeks from the date of receipt of such documents/reply to queries.

3 Whatever reply is submitted by Respondent Nos.1 and 2 to the Deputy Director in compliance with the queries raised in the letter dated 03.01.2020, a copy thereof shall be served upon the Petitioners' Advocate by Respondent Nos.1 and 2 simultaneously.

4 Writ Petition is disposed of in the aforesaid terms. No order as to costs.

5 Parties to act on the authenticated copy of this order.

(R.I. CHAGLA, J.)

(R.D. DHANUKA, J.)