

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

CIVIL APPLICATION (CAW) NO. 944 OF 2021
IN
WRIT PETITION NO. 4449 OF 2018

Ku. Bhawana Jaywant Chilke and Ors.,
..VS..

All India Council for Technical Education, New Delhi through it's Director and Ors.,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P. N. Shende, Advocate for petitioners.
Shri R. B. Puranik, Advocate for respondent Nos.4 & 5.

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : 23.07.2021

Heard.

2. The application is strongly opposed by learned counsel for the original petitioners. He submits that if any further time is to be granted, the original respondent Nos.4 and 5 be at-least directed to pay interest.

3. In ordinary course of circumstances, we would have acceded to the request made by the respondent Nos.4 and 5 regarding payment of interest but, the situation which respondent Nos.4 and 5 are presently finding themselves in, as pointed out to us by Shri Puranik, their learned counsel, would not permit our conscious to ignore their existing difficulties by calling

upon them to pay interest. After all, the institute has been closed down for several reasons and all of which could not be said to be only on account of the institution. But, we are also conscious of the duty that respondent Nos.4 and 5 owe to the petitioners and other similarly situated teachers and staff regarding payment of arrears of salary before the closure of the institution. Thus, we are required to strike a balance between the competing interests of these parties and, therefore, at this stage, we would not direct the respondent Nos.4 and 5 to also pay the interest and accordingly request made in this behalf by the petitioners is rejected.

4. The reasons stated in this application otherwise convince us that by way of last chance, the extension of time as prayed for, must be granted and accordingly it is granted. It is made clear that no further extension shall be granted by this Court.

5. The application is disposed of in these terms.

JUDGE

JUDGE