

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

Writ Petition No. 1779/2020

Nutan Vidarbha Shikshan Mandal

..VS..

State of Maharashtra and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Anand Parchure, Advocate for the petitioner
Shri A.S. Fulzele, AGP for respondent nos. 1 and 2/ State

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.

DATED : 19/03/2021

We have heard this matter for sometime. We are of the opinion that the common judgment, which is subject of the challenge delivered by the learned Single Judge of this Court on 10.10.2019 in bunch of writ petitions starting from Writ Petition No. 5108/2013 are required to be gone through.

2. We would request the learned Counsel for the petitioner to place all those judgments impugned in this bunch of writ petitions before this Court.

3. The respondents have not filed any reply in the matter, which indicates that as of now the respondents do not wish to contest this petition.

4. Shri A.S. Fulzele, the learned AGP makes a request for grant of further time to file reply.

5. By way of last chance, two weeks time is granted to respondent nos. 1 and 2 to file reply, failing which it shall be presumed by this Court that the respondents admit all the averment made in the petition and also has no objection to grant the prayers made in this petition and accordingly, we shall proceed to pass appropriate orders in matter including the one which may fix accountability in the matter.

6. Stand over two weeks.

Civil Application (CAW) 1240/2020

Heard.

2. This application for intervention has been filed by the applicants, namely, Ku. Kavita Ramkrishna Khairkar and Ambadas Sitaram Satange, on the ground that as per the common judgment dated 10.10.2019 delivered by the learned Single Judge of this Court in afore-stated bunch of writ petitions, these applicants are found to be entitled to receive the back-wages.

3. The issue involved in this petition is entirely different and it relates to the right of management to seek salary grant so as to satisfy its liability as regards payment of back-wages. Therefore, this application cannot be allowed and if applicants have any grievance regarding

non-payment of back-wages, the applicants are at liberty to pursue such remedy as may be available in law.

4. Accordingly, the application is rejected.

JUDGE

JUDGE