

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

76 WRIT PETITION NO.6498 OF 2022

**BHARATKUMAR MURLIDHAR PATIL
VERSUS
STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND OTHERS**

Mr.Aniruddha Awalgaonkar h/f. Mr.D.P Palodkar, Advocate for the petitioner.
Mr.S.G. Karlekar, AGP for the respondent/State.

**CORAM : RAVINDRA V. GHUGE &
 ANIL L. PANSARE, JJ.
DATED : 27.06.2022**

PC :-

01. The petitioner has putforth prayer clauses (B) and (C), which read as under :-

“(B) By way of writ of mandamus or any other appropriate writ or order direction in the nature, this Hon’ble High Court may be pleased to direct the respondent Nos.3 and 4 to forthwith disburse the salary to the petitioner for the period from June, 2021 to October, 2021 along with the provident fund amount to the tune of Rs.3,00,000/- deposited in the joint account of the respondent no.2 and respondent no.4 along with interest.

(C) Pending hearing and till final disposal of the present writ petition, this Hon’ble High Court may be pleased to direct respondent Nos.3 and 4 to forthwith disburse the salary to the petitioner for the period of June, 2021 to October, 2021 along with the provident fund amount to the tune of Rs.3,00,000/- deposited in the joint account of the respondent no.2 and respondent No.4 along with interest.”

02. We noticed from the documents placed before us that there seems to be a dispute between the petitioner and the management as regards whether he has worked from June, 2021 onwards till his termination from service on 4th October, 2021. His appeal before the School Tribunal filed on 21.10.2021 is pending adjudication.

03. The learned Advocate for the petitioner submits, on instructions, that an amount of Rs.3 lakhs towards the disbursement of his Provident Fund accumulation, is deposited in the joint account of respondent No.2 – Education Officer (Secondary) and respondent No.4 – the Head Master of the school. This statement is not denied.

04. The learned Advocate for the petitioner submits, on instructions, that the petitioner desires to withdraw this petition to the extent of the claim towards the unpaid salary and agitate the same by availing of a remedy as is permissible in the law.

05. Hence, this petition is disposed off with directions to respondent No.2 to follow the due procedure of law and by complying with all legal formalities, initiate steps for disbursement of the amount of Rs.3 lakhs to the petitioner towards the Provident Fund accumulations, with interest which he may deem appropriate, provided there is no other legal impediment. Such exercise would be completed on or before 30th September, 2022.

[ANIL L. PANSARE,J.]

[RAVINDRA V. GHUGE,J.]