

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

919 WRIT PETITION NO. 435 OF 2021

**BABAN NAMDEO BHANDARE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...
Advocate for the petitioner : Mr.K.P.Rodge h/f. Mr.Pratap
Rodge
AGP for the respondent-State : Mrs.R.P.Gaur
Advocate for respondent no.5 : Mr.S.S.Manale
Advocate for respondent nos.6 and 7 : Mr.S.L.Pansambal
...

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

DATE : 06.04.2022

P.C. :

1. We have briefly heard the learned Advocates for the respective sides and the learned AGP.
2. This is a case wherein there are several disputed aspects having their origin in “word against word”.
3. The grievance of the petitioner is limited to the extent of non-payment of salary from July 2018 to December 2019 [18 months]. The case of the management is that in this period the petitioner never worked. The petitioner contends that he was not allowed to mark his

presence. The management contends that he was never present, and therefore, he himself did not mark his presence.

4. In view of the above, we cannot exercise our extra ordinary jurisdiction under Article 226 of the Constitution of India.

5. The learned Advocate for the petitioner submits, on instructions, that this petition may be disposed off with liberty to the petitioner to avail of a remedy as is permissible in law.

6. In view of the above, this petition is disposed off with liberty as is prayed for.

[S.G.DIGE, J.]

[RAVINDRA V. GHUGE, J.]

DDC