

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.7689 OF 2016
WITH
WRIT PETITION NO.7688 OF 2016
WITH
WRIT PETITION NO.7728 OF 2016
WITH
WRIT PETITION NO.7690 OF 2016
WITH
WRIT PETITION NO.7691 OF 2016
WITH
WRIT PETITION NO.7753 OF 2016**

BHALCHANDRA
GOPAL
DUSANE

Maharashtra Education Society
through Secretary & Anr.

...Petitioners

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BHALCHANDRA
GOPAL DUSANE
Date: 2022.08.23
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Versus

The State of Maharashtra & Ors.

...Respondents

**WITH
WRIT PETITION NO.13510 OF 2016**

Prof. Bhanudas Dhondiram

...Petitioner

Versus

The Chairman, Grievances Cell & Ors.

...Respondents

Mr. Pralhad Paranjape i/by Mr. Rushabh Sheth for Petitioner in WP 7689,
7688, 7728, 7690, 7691 and 7753 of 2016.

Mr. Rajendra Anbhule for Respondent Nos. 2 and 3 in all Petitions.
Mr. Prashant Pophale for Respondent No. 4 in WPs 7690 & 7691 of 2016.
Mr. P.K. Hushing for Respondent No.4.
Mrs. P.N. Diwan, AGP for State in all Petitions.
Mr. Vilas Tapkire for Petitioner in WP 13510 of 2016.

**CORAM : S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : 20TH AUGUST 2022

PC. :

1. In all these petitions, except Writ Petition No. 13510 of 2016, the institution is challenging the order of the grievance committee directing payment of earned leave encashment.
2. We have heard Mr. Paranjape, learned counsel for the Petitioners and learned counsel for the Respondents.
3. In Writ Petition No. 13510 of 2016, the employee has approached this Court seeking directions for payment of Earned Leave encashment.
4. It is settled position of law that the management is liable to pay the earned leave encashment for a maximum period of 180 days. The

employees would be entitled only the amount towards the earned leave encashment in respect of the leave standing to their credit to a maximum period of 180 days.

5. In the light of above, we are not inclined to interfere with the orders passed against the management for payment of earned leave encashment.

6. The management in all these matters shall pay the amount to the employees of the present Writ Petitions towards the leave encashment in respect of the leave standing to their credit subject to maximum for the period of 180 days. The payment shall be made to these employees i.e. Respondent-employees in all Writ Petitions except Writ Petition No. 13510 of 2016 and to the employee i.e. Petitioner in Writ Petition No. 13150 of 2016, within three months.

7. With these observations, the Writ Petitions are disposed of.

8. In case the employee is found dead, amount shall be disbursed to the legal heirs after confirming the same by the management.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)