

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6543 OF 2021

Hemant Anandrao Jagtap and Ors. ...Petitioners

V/s.

The State of Maharashtra and Ors. ...Respondents

Mr. Suresh Pakale i/b. Mr. S. M. Katkar, for the Petitioners.

Mr. N. K. Rajpurohit, A.G.P. for the Respondent-State.

Mr. N. R. Bubna, for the Respondent No.7.

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CORAM : A. S. CHANDURKAR AND
G. A. SANAP, JJ.

DATE : 4 May 2022

P.C.

. The petitioners are seeking relief of payment of unpaid salaries from December 2019 by urging that despite discharging duties, they have not been paid so by the respondent Nos.6 to 9.

2. The respondent Nos.6 to 9 have filed their affidavit-in-reply controverting the statements made by the petitioners.

3. Considering the aforesaid aspect and by following due course as was adopted by this Court in Writ Petition No.5264/1996 dated 1 December 1997, the Joint Director of Technical Education – respondent No.3, is directed to consider the claims of the petitioners for unpaid salary. For said purpose, the petitioners shall make a proper representation in that regard giving the details of the period for which the salary remains unpaid. The applicability of recommendations of the respective Pay Commissions can also be raised in that representation.

4. After giving an opportunity to the respondent Nos.6 to 9 of meeting the claims made in the said representation, the respondent No.3 shall take a decision on the same.

5. The petitioners shall make such representation, within a period of 15 days from today. Within further period of 15 days, the respondent Nos.6 to 9 shall putforth their say on said representation.

6. The respondent No.3 shall preferably within a period of eight weeks after receiving the response of the respondent Nos. 6 to 9 take decision thereof in accordance with law. If the dispute still subsists, the petitioners are free to take recourse to law thereafter.

7. The writ petition is disposed of in the aforesaid terms. Needless to state that if the respondent No.3 finds the petitioners entitled to receive any arrears as claimed, he shall issue appropriate directions in that regard.

(G. A. SANAP, J.)

(A. S. CHANDURKAR, J.)