

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

Civil Application (CAW) No. 487/2022

IN

Writ Petition (WP) No. 5355/2019 (D)

Ayubkhan Dildarkhan Pathan and ors. Vs. State of Maharashtra and ors.

WITH

Civil Application (CAW) No. 483/2022

IN

Writ Petition (WP) No. 5354/2019 (D)

Siddharth Yashwant Bambodakar and ors. Vs. State of Maharashtra and ors.

WITH

Civil Application (CAW) No. 485/2022

IN

Writ Petition (WP) No. 5356/2019 (D)

Suresh Yanbayaji Saddamwar and ors. Vs. State of Maharashtra and ors.

WITH

Civil Application (CAW) No. 486/2022

IN

Writ Petition (WP) No. 7567/2019 (D)

Madhuri Anil Dahiwalé and ors. Vs. State of Maharashtra and ors.

WITH

Civil Application (CAW) No. 484/2022

IN

Writ Petition (WP) No. 7573/2019 (D)

Sakhubai W/o. Dadaji Tingsule and ors. 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 R.R. Dawda, Advocate for the applicants

Shri Neeraj Patil, Assistant Government Pleader for respondent/non-applicant nos.
1 and 2 /State

Ms. Kirti Satpute, Advocate for respondent/non-applicant no. 3

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, J.J.

DATED : 13/04/2022

Civil Application (CAW) No. 487/2022

Perused the civil application as well as relevant communications dated 11/12.12.2008 and 03.05.2011. The operative part of the judgment in Writ Petition No. 5355/2019 in

so for as Clause (ii) is concerned is corrected to read as under:-

(ii) Condition No. 2 of the impugned communications dated 11/12.12.2008 and Condition No. 1 of the impugned communications dated 03.05.2011 depriving the petitioners' of the benefit of service for a period of five years, seniority, promotion, increments and other service benefits is set aside. Condition No. 4 of the communication dated 11/12.12.2008 and Condition No. 3 of communication dated 03.05.2011 to the extent the petitioners have been deprived of dearness allowance for a period of five years is set aside. The petitioners would be entitled to all benefits of the adjudication by the Industrial Court dated 29.11.1991. The arrears admissible to the petitioners shall be paid by respondent no. 1 through respondent no. 3 in three equal installments within a period of one year from 01.02.2022."

Necessary correction be made in the judgment and corrected copy be uploaded accordingly. The civil application is disposed of.

Civil Application (CAW) Nos. 483/2022, 484/2022, 485/2022 and 486/2022

Perused the civil applications and communication dated 21.05.2011. The judgment in Writ Petition Nos. 5354/2019, 5356/2019, 7567/2019 and 7573/2019 in so far as Clause No. (ii) is concerned is corrected to read as under:-

(ii) Condition No. 3 of the communication dated 21/05/2011 depriving the petitioners' of the benefit of service for a period of five years, seniority, promotion, increments and other service benefits is set aside. Condition No. 7 of the communication dated 21/05/2011 to the extent the petitioners have been deprived of dearness allowance for a period of five years is set aside. The petitioners would be entitled to all benefits of the adjudication by the Industrial Court dated 29.11.1991. The arrears admissible to the petitioners shall be paid by respondent no. 1 through respondent no. 3 in three equal installments within a period of one year from 01.02.2022."

Necessary correction be made in the judgment and corrected copy be uploaded accordingly. The civil applications are disposed of.

JUDGE

JUDGE

SANDIP
MAHADEV
GATE

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by SANDIP
MAHADEV
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