

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

CIVIL APPLICATION (CAW) NO.1671/2022

IN

WRIT PETITION NO.2820/2021

Kalpana D/o. Devidas Malpe Vs. The State of Maharashtra and Ors.

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Ms Gauri Venkatraman, Advocate for applicant.
 Mr. A. M. Kadukar, AGP for non-applicant/respondent(s)/State.
 Mr. B. G. Kulkarni, Advocate with Mr. S. N. Shende, Advocate for the
 non-applicant/respondent Nos.4 and 5.
 Mr. Nitin Lambat, Advocate for respondent No.3.

CORAM : SANDEEP K. SHINDE AND
MRS.VRUSHALI V. JOSHI,JJ.

DATED : 05/12/2022.

1. Pending petition, petitioner has moved Civil Application No.1671/2022. Heard learned Counsel for the parties.

2. The petitioner's grievance is that she has not been paid the regular salaries for the months of April and May, 2022 and onwards as per the 6th Pay Commission. Her next grievance is that during pandemic, although she worked on all days, she has not been paid the salaries.

3. Mr. Kulkarni, learned Counsel for the respondent – Management, on instructions, submits that petitioner's salary for the months of April to August, 2022 has been paid. Mr. Kulkarni, learned Counsel has handed over the cheque drawn in the name of the petitioner towards the salary for the months of September and October, 2022.

4. The petitioner is a H.O.D. and claims that she is discharging her duties diligently. If that be so, the Management shall ensure that she is paid her regular salary henceforth.

5. In so far as the second grievance of the petitioner is concerned, it appears from the reply filed by the Management that the petitioner has been paid 50% of her salary for the months of April, May and June, 2020 and has not been paid for April 2021, May 2021, June 2021, July 2021 and August 2021. Since this fact is admitted by the respondents – Management, we direct the Management to pay the deficit amount of salary to the petitioner as per their chart Annexure – R-4-4 annexed to the affidavit in reply.

6. The learned Counsel for the petitioner disputes the particulars in the chart in so far as the days of working shown therein.

7. We hope that the Management shall henceforth pay regular salary to the petitioner and her deficit salary in terms of their own chart preferably within four weeks from today. All contentions of the petitioner so far as the deficit salary is concerned, are expressly kept open.

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. Place the Writ Petition for admission on 18.01.2023.