

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

WRIT PETITION NO.4947 OF 2019

(Narendra s/o Rambhau Peshne Vs. State of Maharashtra, Ministry of Home, Mumbai
thr. its Secretary and another)

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

Court's or Judge's orders.

Mr. S. M. Khan, Advocate for Petitioner.
Ms. T. H. Khan, AGP for Respondent 1/State.

CORAM: ROHIT B. DEO AND ANIL L. PANSARE, JJ.

DATE: 23rd AUGUST, 2022.

The prayer clause read thus:

i) release the amount of leave encashment based on last drawn payment of 75 days @ 30 days per month basis as applicable to employees of Maharashtra Maritime Board (as per ANNEXURE-VI).

ii) release the unpaid salary of dated 13/11/2013.

iii) one month salary in lieu of notice period of removing from services without any advance notice, intimation or information.

iv) all payment to be made with interest there on from the day it is due to till date of actual payment.

2. In view of the preliminary objection raised by the learned AGP Ms. Khan that the Nagpur Bench has no territorial jurisdiction, we requested the learned counsel for the petitioner to address on the said aspect.

3. The relief is sought against the Maharashtra Maritime Board. It is the case of the petitioner that he was appointed as Deputy Director (Finance and Administration) by the said Board initially on contract period from 13.07.2011 to 12.07.2012 and then worked issued letter of contract for 13.07.2011 to 12.01.2014. The petitioner was not satisfied by the Board issuing tenure period order and informed the Board that he is not willing to accept further contractual appointment and claimed leave encashment on the basis of the last drawn salary.

4. The petitioner contends that he made several representations which have not revoked any response. We need not delve deeper in the other averments in the petition.

5. We are satisfied that the entire cause of action has arisen within the territorial jurisdiction of the Principal Bench.

6. The learned counsel for the petitioner would submit that since the petitioner is presently residing at Nagpur, part of the cause of action has arisen at Nagpur. We are not inclined to accept the said submission.

7. Petition is disposed of with liberty to approach the appropriate bench.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)