

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

WRIT PETITION NO.7441 OF 2019

{Rambhau S/o Mahadeorao Dadmal ..**Vrs.**.. Yeshwant Rural Education
Society and Ors.}

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

Court's or Judge's order

Mrs. S. W. Deshpande, Advocate for the Petitioner.
Mr S. K. Bhoyar, Advocate for the Respondents.

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

DATE : **29th NOVEMBER, 2022.**

1. The Presiding Officer, Additional School Tribunal, Nagpur, by judgment and order dated 05.08.2004, in Appeal No.STN/180 of 1990, directed the Respondent No.1 - Yashwant Rural Education Society, Wardha, to pay the difference of wages to the Petitioner with effect from 05.07.1990, till the date of his superannuation.

2. The decision of the School Tribunal was challenged in Writ Petition No.6105 of 2004. This Court had issued notice to the Respondents therein. In pending petition, the Respondent No.1 - Yashwant Rural Education Society, Wardha, deposited Rs.1,26,307/- in the Registry of this Court. Whereafter, the petition was dismissed in default. However, the amount was withdrawn by the Petitioner herein.

3. In any case, this petition is moved seeking to claim the amounts due and payable by the Respondents over and above Rs.1,26,307/- relating to wages payable w.e.f. 05.07.1990. In the writ jurisdiction, this Court cannot examine the calculations and direct the Respondent No.1 to pay that amount. Instead, we deem it

appropriate to direct the Petitioner to make a representation for claiming the amount, if any, due and payable by the Respondent No.1. In case, such a representation is made, the Respondents shall decide the same in accordance with law, within eight weeks, after hearing the Petitioner.

4. All contentions of the Petitioner and the Respondents are expressly kept open. The petition is disposed of.

(MRS. VRUSHALI V. JOSHI, J.) (SANDEEP K. SHINDE, J.)

TAMBE