

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10989 OF 2023

**BALU MAHADU THAKUR
VERSUS
CHIEF EXECUTIVE OFFICE AND OTHERS**

...
Advocate for the Petitioner : Shri L.V. Sangit i/by Ms.Minakshi
Laxman Sangit
Advocate for Respondents 1 and 2 : Shri S.R. Dheple
AGP for Respondent 3/State : Shri V.M. Kagne
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 11th September, 2023

Per Court :-

1. This is one case of a senior citizen, who has succeeded in litigation with regard to his service with the Zilla Parishad, Jalgaon, at all levels. Even after the Government Resolution dated 30.01.2023 having been introduced by virtue of the judgment of the High Court and the Petitioner having been placed at Serial No.57, his entire legal dues including service benefits on account of superannuation, are not paid to him. He is now 65 years of age.

2. The learned Advocate representing the Zilla

Parishad points out clause 5 of the Government Resolution dated 30.01.2023, which reads as under:-

“निधी अभावी ज्या कर्मचाऱ्यांचे वेतन/भत्तेविषयक आर्थिक लाभ संबंधित जिल्हा परिषदेने अद्याप अदा केलेले नाहीत, अशा प्रकरणी कर्मचारी निहाय अचूक परिगणनेसह थकबाकीच्या निधी मागणीचा प्रस्ताव संबंधित जिल्हा परिषदांनी शासनाकडे सादर करावा. संबंधित कर्मचाऱ्यांच्या अनुज्ञेय थकबाकीच्या रकमा पुढील ५ वर्षांच्या कालावधीत टप्पा-टप्प्याने अदा करण्यात येतील.”

3. The Petitioner has been working on daily wages. He was granted benefits of the Kalelkar Settlement by the Industrial Court, which allowed his ULP complaint vide the judgment dated 17.02.2003. The Zilla Parishad approached this Court by filing a group of Writ Petitions (Writ Petition No.2717/2003 is in relation to the Petitioner). All the Petitions were admitted vide the order dated 22.07.2003. However, this Court refused interim relief to the Zilla Parishad. All the workers, who had succeeded before the Industrial Court, were continued in employment and the Government Resolution dated 30.01.2023 was issued to grant the service benefits to them.

4. In view of the above, **this Writ Petition is partly allowed** with the direction to Respondent No.1 to calculate the

entire legal dues payable to the Petitioner, inclusive of unpaid salary and retiral benefits under all statutes and submit such calculations to Respondent No.3, on or before 30.09.2023. Thereafter, Respondent No.3 shall ensure that the payments to the Petitioner are released within 60 days.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)