

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 WRIT PETITION NO.1747 OF 2023

BRIGHT STAR EDUCATION SOCIETY THROUGH ITS SECRETARY
BABULAL POPAT KARALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Advocate for Petitioners : Mr. Sapkal Sandip R.
AGP for Respondents-State : Mr. G. O. Wattamwar
Advocate for Respondent No.4 : Mr. R. I. Wakade

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905 WRIT PETITION NO.1797 OF 2023

BRIGHT STAR EDUCATION SOCIETY THROUGH ITS SECRETARY
AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for Petitioners : Mr. Sapkal Sandip R.
AGP for Respondents-State : Mr. G. O. Wattamwar
Advocate for Respondent No.4 : Mr. R. I. Wakade

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CORAM : ARUN R. PEDNEKER, J.
DATE : 15th February, 2023

PER COURT :

1. Heard the learned Advocates appearing on behalf of the parties.
The learned Advocate for the employee/respondent No.4 in both the matters agrees that in the event he ultimately succeeds in the matter, that he would not claim back-wages to the extent of the period of

delay in filing appeal before the Tribunal. He would restrict his claim only to continuity of service for the delayed period.

2. The substantial right of the employee would be defeated in the event he is not permitted to file appeal before the Tribunal and that there is sufficient safeguard also to the management that they would not be saddled with the liability for the delayed period.

3. Thus with the agreement of the parties, the present petitions are disposed of with the observation as above.

4. The appeal pending before the Tribunal be decided by the Tribunal as expeditiously as possible.

(ARUN R. PEDNEKER, J.)

vj gawade/-.