

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

WRIT PETITION (WP) NO. 4556/2019

NILESH BHAGWANTRAO BHASME

VS

ADDL. COMMISSIONER FOR TRIBAL DEVELOPMENT, AMRAVATI AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N.R. Saboo, Advocate for the petitioner
Mr. A.S. Fulzele, Additional Government Pleader for respondent nos. 1 and 2
Respondent nos. 3 and 4 are served.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI, J.J.

DATED : 03/04/2023

Heard.

2. The petitioner, who is working as Assistant Teacher at respondent no. 4 – School run by respondent no. 3 – Society, seeks release of salary from June 2015 and onward. It is his grievance that despite his services being approved by respondent no. 2, salary bills are not being forwarded by respondent nos. 3 and 4.

3. In the reply filed by respondent nos. 1 and 2, it has been stated that there is dispute in the Management, as a result of which the petitioner's pay bills are not being forwarded by them. An action was also taken for stopping the non-salary grant of the School. It is stated that if the salary bills are received, the same would be scrutinized and payment would be made thereunder.

4. In this regard, we find that the petitioner has made the representations dated 29.05.2017 and 11.09.2017 to the respondent no. 2 seeking salary from June 2015. In these facts, the following order would serve the interests of justice:-

5. The respondent no. 2 shall consider the petitioner's representations dated 29.05.2017 and 11.09.2017 in the matter of release of salary from June 2015 after considering the response of respondent nos. 3 and 4. If the respondent nos. 3 and 4 do not co-operate in the matter or do not abide by the directions issued to them by respondent no. 2, he is free to take such steps as are permissible in law to ensure compliance of those directions. The necessary decision shall be taken within a period of eight weeks from today and the same be communicated to the petitioner. Needless to state that if any grievance of the petitioner survives thereafter, he is free to take such steps as are permissible in law.

6. The writ petition is disposed of with aforesaid directions. No costs.

(M. W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)