

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6765 OF 2018

Suman Sachin Jain and Ors.Petitioners

Vs.

The State of Maharashtra and Ors.Respondents

WITH

CIVIL APPLICATION NO.2127 OF 2018

IN

WRIT PETITION NO.6765 OF 2018

WITH

WRIT PETITION (ST.) NO.209 OF 2021

WITH

WRIT PETITION (ST.) 215 OF 2021

WITH

WRIT PETITION NO.11657 OF 2024

WITH

WRIT PETITION (ST.) NO.6104 OF 2022

WITH

WRIT PETITION (ST) NO.6144 OF 2022

WITH

WRIT PETITION NO.6767 OF 2018

WITH

WRIT PETITION NO12259 OF 2024

WITH

WRIT PETITION NO.12204 OF 2024

WITH

WRIT PETITION NO.12840 OF 2024

WITH

WRIT PETITION NO.6080 OF 2021

WITH

WRIT PETITION NO.6082 OF 2021

WITH

WRIT PETITION NO.6081 OF 2021

WITH

WRIT PETITION NO.4410 OF 2024

WITH

WRIT PETITION NO.14687 OF 2023

WITH

INTERIM APPLICATION NO.14766 OF 2024

IN

WRIT PETITION NO.14687 OF 2023

Adv. Suresh Pakale a/w Adv. Netra Tembe a/w Adv. Nilesh Desai a/w Adv. Padmaja Malgaonkar for the Petitioner.

Adv. Ajit J. Kenjale a/w Adv. S. M. Gulabani a/w Adv. Suraj Bansode a/w Sai Kadam for the Petitioner in WP/11657/2024.

Senior Advocate Mr. V. P. Sawant, a/w Mr. Nitin Dhumal for the Applicant in interim application.

Adv. Rajendra Anbhule a/w Adv. Nisha Ahire for Respondent No.5 in WP/6765/2018 and for Respondent No.4 in WP/6767/2018.

Ms. Anjali Neel Helekar for Respondent No.3 in WP/4410/202 and WP6104/2022.

Adv. Swetabja Mondal i/b Rui Rodrigues for Respondent No.3 in WP/6767/2018.

Adv. Rahul Kamerkar a/w Aparajita R. Jha for Respondent No.2 in WP/6082/2021 and WP/15687/2021.

Mr.. P. P. Kakade Add. G. P. a/w P.M. J. Deshpande AGP for the State in WP/6765/2018.

Mr. M. M. Pable AGP for the State in WP(st)/209/2021.

Mr. V. M. Mali AGP for the State in SP(st)/215/2021.

Mr. A. R. Deolekar AGP for the State in WP(st.) 6144/2022 and WP/11657/2024.

Ms. N. M. Mehra AGP for the State in WP(st.) No.6104/2022.

Ane WP/6767/2018.

Ms. P. J. Gavhane, AGP for the State in WP/12259/2024.

Mr. A. K. Naik AGP for the State in WP/12204.2024 and

WP/12840/2024.

Ms. A. A. Purav AGP for the State in WP/6080/2021 and WP/6082/2021.

Mr. S. B. Kalel, AGP for the State in WP/4410/2024.

Mr. V. G. Badgujar AGP for the State in WP/14687/2023 and IA/14766/2024.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 17th DECEMBER, 2024

P.C. :-

1. By consent of the parties de-tagged Writ Petition No.11657 of 2024 and stand over to **15th January 2025**.

2. These matters are circulated by the Petitioners on account of the disobedience of the direction of this Court set out in paragraphs No.7A of the order dated 19 November, 2024 passed in Interim Application No.14766 of 2024 in Writ Petition No.14687 of 2023, filed by the Sinhgad Technical Education Society.

3. The learned Senior Advocate Mr. Pakale reminds us of his earlier contention that this Management will bring in such reasons and cite such circumstances, so as to artificially justify the

non-payment of the dues of the employees. He also reminds us that he had made a statement on the last date that though this Court has issued directions in the order dated 19th November, 2024, the institution would disobey them.

4. In paragraph No.7, we had directed the Management to pay/disburse Rs.9 Crores to the Petitioners in such proportions as the amounts were payable to them, by 14th December, 2024. As against Rs.9 Crores, Rs.72,66,719/- were disbursed to the Petitioners. He, therefore, submits that his words have come true when he had stated on 19th November, 2024 that this Management will dodge the payments.

5. The learned Senior Advocate for the Management submits that as on date an amount of Rs.2 Crores and some odd amount has been accumulated and the said amount would be paid to these Petitioners. He is under instructions from the President of the Institution that the order of this Court dated 19th November, 2024 would be complied with by 31st December, 2024.

6. The learned Senior Advocate, on behalf of the

Petitioners, insists that the President and Secretary of the Education Institution should submit an undertaking. The learned Senior Advocate representing the institution submits that there is no need to issue an undertaking since a serious effort is being made for collecting the funds in order to comply with the directions of this Court set out in the order dated 19th November, 2024.

7. Considering the rival submissions and upon perusing the record, we find that this Court had given a long rope to the Management, by trusting the statements made by the Management for the purpose of resolving the issue. Gradually, we are moving towards crystallization of an opinion that this Management is doing too little to abide by the orders of this Court.

8. Since the learned Senior Advocate has made a statement on behalf of the Management, on instruction, that the order of this Court would be complied with by 31st December, 2024 that we are listing this proceedings on **3rd January, 2025** in the urgent orders category.

9. Taking into account several opportunities granted, if the

order dated 19th November, 2024 is not complied with by 31st December, 2024 we would be constrained to initiate actions for disobedience of the directions of this Court, against the President Prof. M.N Navale, the Secretary Dr. Ms. Sunanda Navale, and the Directors/ Trustees of the Sinhgad Technical Education Institution.

10. The Petitioners have tendered an additional affidavit from page Nos. 848 to 875.

11. Stand over to **3rd January, 2025** in the urgent orders category.

12. List the Writ Petitions along with Writ Petition No. 14887 of 2023 and Writ Petition No.14889 of 2024 also on **3rd January, 2025**.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)