



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

WRIT PETITION NO.650 OF 2020

Kalyan Education Society, Nagpur

-VS-

State of Maharashtra, Thr. Secretary, Dept. of Higher and Technical Education, Mantralaya,
Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri B. G. Kulkarni, Advocate for petitioner.

Shri J. Y. Ghurde, Assistant Government Pleader for respondent Nos.1 and 2.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : July 18, 2024

1. In the disciplinary proceedings, from 11/06/2018 to 30/09/2018 the respondent No.3 was placed under suspension. He was awarded minor punishment on conclusion of the proceedings.
2. Before the Grievance Committee the claim of respondent No.3 was answered against the petitioner-Management thereby directing to pay salary to respondent No.3 for the period of suspension as reimbursement which is refused by the respondent No.2 on the ground that the Grievance Committee has directed such payment to be made by the petitioner-Management.
3. It is not in dispute that the services of respondent No.3 are duly approved by the University so also by the Joint Director of Education.
4. In such an eventuality when respondent No.3 was awarded minor punishment, as per Rules he is entitled for the wages for the period of suspension, being an approved Teacher.
5. That being so, the impugned order dated 02/11/2019 being not sustainable is hereby quashed and set aside.
6. Respondent No.2 is hereby directed to pass appropriate order in the matter in the light of observations made herein above within a period of six weeks from the date of production of this order before him.
7. The writ petition is partly allowed. Disposed of as such. No costs.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)