



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

WRIT PETITION NO.2638/2021

Smt Kanchan Joshi w/o Ashish Mandvikar

Vs.

Backward Class Youth Relief Committee, through its Secretary Shri Rajendra Mulak
and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Rashi A. Deshpande, Advocate for petitioner
Shri A.R. Patil, Advocate for respondent Nos.1, 2 & 7
Shri N.P. Lambat, Advocate for respondent No.3
Ms Shamsi Haider, AGP for respondent Nos.4 and 5

**CORAM : AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ..**

DATED : 15/01/2024

The petitioner seeks release of arrears of salary from December, 2010 to December, 2017, which is by way of amendment dated 12/12/2023, on account of the position that in pursuance to the order of this Court dated 01/08/2023, the arrears for the period from March, 2016 till December, 2017 have been calculated by the respondent No.8 and paid to the petitioner. The question now, is regarding the claim for arrears of salary from December, 2010, when the petitioner claims that her appointment was regularized, and approved by the respondent No.6. This position is disputed by Mr Patil, learned Counsel for respondent Nos. 1, 2 and 7 contending that the approval was later in point of time, on account of which, the petitioner would not be entitled to salary. The plea of limitation is also being raised.

2. The learned Counsel for petitioner as well as learned Counsel for respondent Nos.1, 2 and 7 are, however, agreed that the matter can be decided by the respondent No.8 by keeping all objection open.

3. Considering which, the petition is disposed of by directing the respondent No.8 to consider and decide the claim of the petitioner for arrears of salary from December, 2010 till February, 2016, by taking into consideration the date of approval as well as all pleas regarding limitation.

JUDGE

JUDGE

R.S. Sahare