



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

WRIT PETITION NO.1507 OF 2020

Rajendra Vasantrya Kale, Akola and ors.

-vs-

State of Maharashtra, Thr. Secretary, Higher and Technical Education Dept. 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 Gaurav Khond, Advocate for petitioner.
Shri M. K. Pathan, Assistant Government Pleader for respondent Nos.1, 3 and 4.
Shri N. P. Lambat, Advocate for respondent No.2.
Shri S. P. Bhandarkar, Advocate for respondent No.5.

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

DATE : April 18, 2024

P. C.

1. Heard.
2. The petitioners are claiming to be the employees of respondent No.5-Society who is managing respondent No.6-College.
3. The case of the petitioners is though they being employees of the aforesaid respondents, they have not been paid their salary as per the pay-scale to which they were entitled to.
4. Pursuant to the notice ordered by this Court, respondent Nos.4 and 5 have disputed their liability and have come up with a plea that the amounts of salary are already paid.
5. This Court cannot go in the aforesaid question at this stage of the petition and as such deem it appropriate to dispose of the writ petition with following order :
 - (i) Let the petitioners and respondent Nos.5 and 6 to appear before respondent No.4-Deputy Director of Technical Education, Nagpur Division, Nagpur on 06/05/2024 with their rival claims/submissions and all relevant documents.
 - (ii) Respondent No.4 shall thereafter grant appropriate opportunity

to the parties and delve upon the issue as to the pay-scales which were admissible to the petitioners and actual receipt of salary, if any, by the petitioners from respondent Nos.5 and 6.

- (iii) Respondent No.4 shall consider the aforesaid claim and pass appropriate orders in accordance with law expeditiously and in any case within a period of three months from 06/05/2024.
- (iv) Order accordingly. All points are kept open.
- (v) Needless to clarify in case any adverse order to the interest of either of the parties to the petition is passed, liberty is granted to approach the State Government.

6. The writ petition is partly allowed in aforesaid terms. No costs.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)