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912-CP-93-2013

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CONT. PETITION NO. 93 OF 2013
IN WP/63/2006**

Karbhari Laxman Korbarne And Others

....Petitioners

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....

Mr. Rajendra P. Phatke h/f Mrs. Vaishali Shinde (More), Advocate
for petitioners

Mr. N.S. Tekale, AGP for State

Mr. S.S Thombre, Advocate for respondent No. 9, 13 to 15 and
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WITH

**CIVIL APPLICATION NO. 5842 OF 2025
IN CP/93/2013**

WITH

**CIVIL APPLICATION NO. 5850 OF 2025
IN CP/93/2013**

WITH

**CIVIL APPLICATION NO. 3444 OF 2015
IN CP/93/2013**

WITH

**CIVIL APPLICATION NO. 13647 OF 2021
IN CP/93/2013**

WITH

**CIVIL APPLICATION NO. 13685 OF 2022
IN CP/93/2013**

WITH

**CIVIL APPLICATION NO. 11825 OF 2023
IN CP/93/2013**

.....

**CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 18th JUNE, 2025

ORDER :

1. In Writ Petition No. 63/2006, this Court on 07.09.2009 has passed following order:

"6. In the result, the petitions are allowed.

(i) We hold that the petitioners are entitled to the benefit of Vth Pay Commission with effect from 1st May, 1999.

(ii) The respondents are directed to pay arrears of Vth Pay Commission, accordingly, within a period of six months from today.

(iii) We further direct, that the order passed by this Court, dated 6th July, 2009, thereby directing that none of the schools run by Shri Shivaji Shikshan Prasarak Mandal shall disburse non-salary grants, shall stand recalled on the petitioners being paid the arrears, as directed aforesaid."

2. In terms of the directions of this Court, since the arrears of petitioners were not paid, the land belonging to respondent Institution namely Shri Shivaji Shikshan Prasarak Mandal was put for auction and it was sold for a consideration of Rs.8,05,00,000/- on 15th May, 2025.

3. Authorised officer of the said Institution has addressed the letter dated 30th May, 2025 to their Advocate informing that 31 R land of the Institution out of Survey No.416/1/B was auctioned by the Tahsildar in terms of order passed by this Court on 10th March, 2025 for consideration of Rs.8,05,00,000/-. Thereafter, on 31st May, 2025 Election of the Sugar Factory which is the parent body of the Institution has taken place. Request is made to bring to the notice of this Court that till the dues of the petitioners are paid non-salary grants of the Institution were stopped. Since the dues are being cleared the non-salary grants may be directed to be paid. After clearing dues of Rs.1,28,00,000/- of the petitioners and similarly situated petitioners in connected contempt petitions, remaining amount of sale be deposited in the current account of the Institution for payment of dues of other employees of provident fund, dues of the Institution and to augment essential facilities in all the Schools run by the Institution. The letter dated 30th May, 2025 is marked as Exhibit-'X' for identification purposes.

4. In the light of above, we direct the respondent Tahsildar and Education Officer to pay the arrears of petitioners and similarly situated petitioners in the connected petitions, as per their entitlement within a period of eight weeks from today.

The remaining amount be deposited in the current account of the respondent Institution, details of which are mentioned in letter at Exhibit- 'X'. After payment of arrears of the petitioners, the order dated 06th July, 2009 directing that none of the schools run by Shri Shivaji Shikshan Prasarak Mandal shall be disbursed non-salary grants, shall stand recalled.

5. Contempt Petition stands disposed of in the above terms.

6. In view of disposal of contempt petition, pending civil applications stand disposed of.

(SANDIPKUMAR C. MORE, J.)

(NITIN B. SURYAWANSHI, J.)