

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.18671 OF 2024

Janabai Nivrutti SaunePetitioner

Versus

The State of Maharashtra and Ors.Respondents

Mr. Subhash V. Gutte for the Petitioner.

Ms. Nisha Mehra for Respondent Nos.1 to 5.

Mr. Aditya S. Navpute for Respondent Nos.6 and 7.

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

DATE : 2nd APRIL, 2025

P.C. :-

1. If the prayers set out in this Petition are to be seen, they practically appear to be in the nature of prayers that are made in a recovery suit for unpaid amounts. The Petitioner has tendered a chart of amounts allegedly unpaid to him. The said chart is taken on record and marked as 'X-1' for identification. The Management has tendered its calculations in a sheet, which is also taken on record and marked as 'X-2' for identification.

2. The Hon'ble Supreme Court has concluded in *Assistant Commissioner (CT) LTU Kakinada and Ors. v/s. M/s. Glaxo Smith*

*Kline Consumer Health Care Limited*¹ that disputed issues should not be gone into by the High Court. Moreover, the Petitioner has belatedly woken up and seeks recoveries of unpaid amounts from 2013 onwards. Such disputed issues cannot be gone into in our Writ jurisdiction.

3. In view of the above, the Petitioner is permitted to file proper calculations to Respondent No.5 within a period of 15 days. Respondent No.5, the Education Officer (Secondary), Zilla Parishad, Pune, shall issue notice to the Management and deal with the disputed issues as regards the unpaid amounts. The said dispute shall not be considered to the extent of the verdict of the learned Single Judge of this Court, dated 25th August, 2023 in Writ Petition No.11554 of 2022, filed by the present Petitioner. The issue of delay would also be looked into.

4. Let the Education Officer pass a reasoned order after giving an opportunity of hearing to all the stakeholders within 60 days from the date of receiving the representation. If the Petitioner is aggrieved by the calculations of the Education Officer,

¹ (2020) 4 S.C.R. 602

since it is a matter of purported recovery of unpaid amounts, he would be at liberty to file a civil suit for recovery of amount. All contentions of the parties are kept open.

5. In view of the above, **this Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)