

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3642 OF 2025

Sau. Shalaka Vaibhav Koshti ... Petitioner

versus

President, Saraswati Education Society's
Yadavrao Tasgaonkar Institute of
Pharmacy & Ors. ... Respondents

Ms. Shalaka V. Koshti, Petitioner-in-person present.
Mr. Akshay Kapadia for Respondent Nos. 1 and 2- Management.
Ms. P.N. Diwan, AGP for Respondent Nos. 3 and 4, State.

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

DATE : 10TH MARCH, 2025

P.C. :-

1. Not on board. On mentioning, taken on production board.
2. Heard the Petitioner-in-person.
3. The chequered history of litigation between the Petitioner and the Management is before us through the Petition paper-book.

4. We have considered the submissions of the Petitioner-in-person. She interprets the directions of the learned Single Judge vide order dated 22nd January, 2025 passed in Contempt Petition No. 352 of 2023, to mean that the Division Bench of this Court should assist the Petitioner in the recovery of the amounts. Paragraph 12 (d) of the said order reads as under :

“12 (d) Petitioner would be at liberty to adopt appropriate proceedings for recovery of higher amount of pay and allowances by adopting appropriate proceedings”.

5. Considering the above, we refuse to exercise our jurisdiction under Article 226 of the Constitution of India when this entire litigation is between the Petitioner and the private Management originating from the School Tribunal's judgment. If the Petitioner desires to adopt appropriate proceedings for recovery of higher amounts of pay and allowances, the learned Single Judge has granted her the liberty. That does not mean that a Petition could be filed before us for dealing with a dispute between the Petitioner and the private Management as regards the disputed calculations of higher amounts of pay and allowances.

6. The learned Advocate for the Management, appearing on instructions, submits that the order passed by the learned Single Judge has been fully complied with.

7. In view of the disputed issues as above and the law laid down by the Hon'ble Supreme Court in *Assistant Commissioner (CT) LTU Kakinada & Ors. v. M/s. Glaxo Smith Kline Consumer Health Care Limited*.¹, we will not exercise our jurisdiction under Article 226. **This Petition is disposed off.**

8. Needless to state, the Petitioner is at liberty to act in accordance with the order passed by the learned Single Judge.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

¹ (2020) 19 SCC 681