

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

12016/2015wpgr

**920 WRIT PETITION NO. 12016 OF 2015
WITH WP/1481/2013 WITH WP/12015/2015 WITH
WP/12018/2015 WITH WP/12026/2015 WITH
WP/12027/2015 WITH WP/12030/2015 WITH
WP/12144/2015**

SAHEBRAO SUKDEORAO RINDHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Maske Uttreshwar.M. and Mrs. R.R. Mane
AGP for Respondent / State : Mr. S.Y. Mahajan
Advocate for Respondent No.3 : Mr. V.D. Hon, Sr. Advocate h/f Mr.
A.V. Hon.

...
WITH

921 WRIT PETITION NO. 12035 OF 2015

RAMESH PUNDALIK PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Maske Uttreshwar.M. and Mrs. R.R. Mane
AGP for Respondent / State : Mr. S.Y. Mahajan
Advocate for Respondent No.2 & 3 : Mr. V.D. Hon, Sr. Advocate h/f Mr.
A.V. Hon.

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**CORAM : R.M.BORDE AND P.R.BORA,JJ
DATE : April 29, 2016**

PER COURT :-

- 1) The issue raised in these writ petitions is no more *res integra* in view of the Judgment delivered by this Court in the case of **Khandesh College Education Society V/s. Arjun Hari Narkhede and Others** (Writ Petition No.2881 of 2007 and matters connected therewith). The Judgment in the aforesaid matter has attained finality since the Hon'ble Supreme Court has

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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turned down Special Leave Petitions challenging the decision rendered by the High Court. A Petition for review filed against the judgment delivered by High Court has also been dismissed. This Court has followed the Judgment delivered in the case of **Khandesh College Education Society** (cited supra), in Writ Petition No.8911 of 2011, in the case of **Kachru Shankar Sahane died through L.Rs. Radhika Kachru Sahane and others V/s. The State of Maharashtra and others**, and other companion matters decided on 03rd August, 2015. In view of decision rendered by the High Court in the aforesaid matters, we pass following order:

ORDER

a) The petitioners are entitled for the benefits of leave encashment from the concerned Educational Institutions. The Petitioners shall appear before the concerned Respondents for calculating the quantum of amount payable by the concerned Institutions to the petitioners. The concerned Respondents shall consider the aspect of days of leave to the credit of the petitioners for the purpose of leave encashment. The calculation shall be made by the concerned Respondents within four months from today. After determining the amount, the concerned Institutions shall make payment of the dues to the petitioners in respect of the leave encashment within further period of six months. The Writ Petitions are accordingly disposed of. No Costs.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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