

ORDER BELOW EXH. 26 IN SPL. DAR. NO. 42/2018

(Passed On: 19.07.2019)

I.A.No. 2/2019

1. This is an application to direct J.D. to obey the order of Court in execution.
2. It is submitted by the application that J.D.No.1 to 3 have forwarded the proposal regarding fixation of back wages and payment of it to D.H. But, J.D. No.4 and 5 not acted on it.
3. J.D. no.4 and 5 have not filed any say. The J.D.no. 1 to 3 submitted their say that they have carried out the proceedings and sent the matter for necessary order to J.D.no.4 and 5.
4. Heard learned advocates for the both parties at considerable length. Perused the record.
5. Both the learned advocates admitted that there was compliance of only on the part of J.D.No.1 to 3. It is also submitted some of the arrears are paid only by the J.D.No.4 and 5. Hence, it is submitted by both advocates that unless J.D.no. 4 and 5 pass order about fixation and payment to D.H. the decree cannot be executed.
6. Considering that admittedly decree is passed by School Tribunal directing J.D.'s to re-instate to D.H. and to pay full back wages on 28.04.2014. It is duty of J.D. to obey the same. J.D.No.1 to 3 have completed their part. J.D.No.4 and 5 are the responsible for payment of back wages as per decree. The J.D.no.4 and 5 should determine said

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back wages as per rules and should pay it to D.H. Admittedly, there is no stay to decree. Hence, J.D.No.4 and 5 should comply the same. Hence, following order is passed.

ORDER

- 1] Issue letter to J.D.No.4 and 5 to pay the remaining back wages to D.H. as per decree dated 28.04.2014.
- 2] The copy of decree be attached to said letter.

Date: 19.07.2019.

(M.R. Jadhav)
Jt. Civil Judge Senior Division, Pandharpur

CERTIFICATE

I affirm that, the contents of this PDF file order are same word to word, as per the original order.

Name of Stenographer : *A.K. Vibhute*

Court : *Jt. Civil Judge Senior Division,
Pandharpur*

Date : *19.07.2019.*

*Order signed by the
Presiding Officer on* : *19.07.2019.*

Order uploaded on : *20.07.2019.*