

ORDER BELOW EXH. 49 IN
SPECIAL DARKHAST NO. 42/2018

1. This execution proceeding is for execution of decree passed in M.A.No.56/2014 of the court of School Tribunal. The order is confirmed in Appeal No.5/2013 by the court of School Tribunal, Pune region, Solapur.

2. Accordingly, termination order dated 27.12.2012 of Shahaji Baburao Ingale is held to be illegal and quashed. By that order directions of re-in statement was given with continuity of service and full back wages. Hence, the execution proceeding.

3. J.D.Nos. 1 to 3 by filing say **Exh.43** have objected the proceeding. According to them they have forwarded the proposal of salary statement of decree holder Shahaji Ingle before J.D.No.4. Thus, they have done their part.

4. J.D.No. 4 and 5 appeared and filed their say at **Exh.41** and submits that, responsibility of giving amount of salary is not of them but it is of J.D.Nos.1 to 3.

5. All Judgment Debtors are saying they are not responsible for giving the salary of Judgment Debtors Shahaji Ingle. But this court can not go beyond the Judgment and Decree passed by School Tribunal. This execution proceeding is pending from 2018. Since then Judgment Debtors Shahaji Ingle is not getting back wages. All

Judgment Debtors are prolonging the execution proceeding for one or other reason. Decree is passed by School Tribunal directing these Judgment Debtors to re-in state the decree holder and to pay full back wages on 28.04.2014. According to JD Nos. 1 to 3 they have completed their part and J.D.Nos. 4 and 5 are responsible for payment of full back wages as per decree. Judgment Debtors Nos.4 and 5 have to determine back wages as per rules. But till today they failed to do so. Hence, it will be proper to issue Jangam warrant against all Judgment Debtors as prayed. J.D. has given the list of articles at Exh.5. Hence, the order.

ORDER

1. Issue Jangam Warrant against J.D.Nos. 1 to 5 for recovery of full back wages of D.H. Shahaji Baburao Ingale as per execution petition.

Dt. 10/12/2021

Sd/-
(**A. S. Nalge**)
2nd Jt. C.J.S.D. Pandharpur

C E R T I F I C A T E

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment.

a Name of the Stenographer : Shirsikar V.G.
b Court : 2nd Jt. Civil Judge
S.D.Pandharpur
c Date of Judgment : 10/12/2021
d Judgment signed by P.O. On :10/12/2021
e Judgment uploaded on : 10/12/2021