



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.2224 OF 2021**

Dr. Y.S. Vaishampayan (Since Deceased)

Through Legal Heirs & Ors. ....Petitioners

versus

The State of Maharashtra & Ors. ....Respondents

**WITH**

**INTERIM APPLICATION (ST) NO.3513 OF 2025**

**IN**

**WRIT PETITION NO.2224 OF 2021**

Dr. Y.S. Vaishampayan

(Since Deceased) & Ors. ....Petitioners

versus

The State of Maharashtra & Ors. ....Respondents

**WITH**

**INTERIM APPLICATION NO.6406 OF 2024**

**IN**

**WRIT PETITION NO.2224 OF 2021**

Dr. Y.S. Vaishampayan

(Since Deceased) Through LRs & Ors. ....Petitioners

versus

The State of Maharashtra & Ors. ....Respondents

Mr. Uday P. Warunjikar, Advocate for the Petitioners.

Ms. S.A. Prabhune, AGP for the Respondent – State.

Mr. Jaymangal Dhanraj a/w Ms. Disha Vardhan, Advocate for Respondent Nos.2 &3-SNDT University.



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

**DATE : 25<sup>th</sup> FEBRUARY, 2025**

**P.C. :-**

1. The University had approached the Hon'ble Supreme Court in Special Leave to Appeal against the interlocutory order dated 8<sup>th</sup> May, 2024 passed on Interim Application No.6406 of 2024. The Hon'ble Supreme Court delivered an order on 31<sup>st</sup> January, 2025 and directed that the High Court should take up the Writ Petition and dispose it off within a period of two months from the date of the order. The said order was received by the Registrar of this Court on 14<sup>th</sup> February, 2025 and was brought to the notice of this Court yesterday, on 24<sup>th</sup> February, 2025. We have immediately listed the said matter today.

2. Considering that our daily board is beyond 200 matters, practically every day and half of the matters on the board are '*first time fresh admissions*' and '*urgent admissions*' category matters, by consent of the parties, this matter is being listed on 3<sup>rd</sup> March, 2025 at 5.15 p.m. In the meanwhile, both the parties are at liberty to



prepare their summary of submissions along with case law with proper index and pagination.

**INTERIM APPLICATION (ST) NO.3513 OF 2025**

3. Petitioner No.1 has passed away. Due to his demise, certain legal dues have become payable. The LRs have already been brought on record and prayer clause (a) is put forth as under:

*“(a) During pendency of the present petition, be pleased to issue Writ of mandamus or Writ in the nature of mandamus to the respondents herein to release the salary arrears and/or dues as per the 7<sup>th</sup> Pay Commission from the date of his Joining till his last working day, provident fund, Gratuity, earned leaves encashment, Expenses made by him out of his pocket for the Institute which is approximately Rs. 1,00,000/- (One lakh) and other financial entitlements pending along with the applicable interest rates with the University at the time of his death and dues of salary, if any, of the deceased father of the Applicant No. 1-A and 1-B as per 7<sup>th</sup> pay commission in favour of the present Applicant No. 1-A and 1-B herein.”*

4. With regard to Petitioner No.2 who has resigned, prayer clause (b) has been put forth as under:

*“(b) During pendency of the present petition, be pleased to issue Writ of mandamus or Writ in the nature of mandamus to the respondents herein to release all the dues along with the applicable interest rates, including salary arrears as per the 7<sup>th</sup> Pay Commission from the date of her Joining till her last working day, provident fund, Gratuity, Expenses made by her out of her pocket for the Institute and other financial entitlements pending*



*with the University and dues of salary, if any, all retirement benefits to the Applicant No.2 as per 7<sup>th</sup> pay commission.”*

5. The learned Advocate for the University submits that he would file a reply to this application within a period of one week. After the reply is filed, this application would be considered.

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**