

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3287 OF 2021

Shri Dr. Vasif Tausifuddin Ahmed and others

Vs.

The State of Maharashtra, through its Secretary, Technical Education Department, Mantralaya,
Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Smt. Gauri Venkatraman, Advocate for petitioners
Smt. T.H. Khan, AGP for respondent Nos. 1 & 2
Shri N.P. Lambat, Advocate for respondent No. 3
Shri K.Y. Mandpe, Advocate for respondent No. 4
Shri F.T. Mirza, Advocate for respondent Nos. 5 & 6

CORAM : VINAY JOSHI, J. AND
SMT M.S. JAWALKAR, JJ.

DATE : 20/06/2024

Heard at length on compliance of order dated 10/07/2023 of this Court. Perused the fresh affidavit dated 17/06/2024 filed by the Management, contending that the Management/Trust proposes to sale two landed properties and permission is applied for the said purpose.

2. It is informed that employees of another college namely polytechnic college run by the same Trust has filed Writ Petition No.4233/2018 raising similar grievance. In said petition, order has been passed, by which the Trust was precluded from alienating the Trust property. Learned Counsel Shri Mirza submitted that the said matter is heard finally and now it is posted on 24/06/2024 for decision.

3. Certainly, it is necessary for us to go through the adjudication by this Court on similar issue. Be that as it may, the series of affidavits filed by the management indicates that assurances after assurances are given but, steps are not taken bonafidly in true spirit. Certainly, for obtaining a permission to sale the property from competent authority, a considerable time is required. Undisputedly, the petitioners were not paid their full salary from the month of November, 2018 till March, 2022 and partially till July, 2023. The petitioners cannot be put to lurch on the hope that the properties would be sold on one day and they would get their right full dues, as endorsed by this Court.

4. The Management shall produce details about the papers pertaining to the permission sought from Assistant Charity Commissioner for our satisfaction. As it is a time consuming process, considering the plight of petitioners, we direct Management to make a statement on 27/06/2024 as to how much amount per petitioner they would pay on adhoc basis. We hope and expect that the amount shall be sizable, failing which, this Court would be constrained to revisit the situation and take appropriate decision in the matter.

5. Stand over to 27/06/2024.

(SMT M.S. JAWALKAR, J.)

(VINAY JOSHI, J.)