

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION**

WRIT PETITION NO. 7363 OF 2023

Shri. Dipak Bhaskar Muthal And Ors ...Petitioners
V/S

The State Of Maharashtra And Ors ...Respondents

Adv. Abhijit Kulkarni (through VC) i/b. Adv. Abhay A. Jadhavar for the
Petitioners.

Mr. S. B. Kalel, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.**

DATED : 12 APRIL 2024

P.C.:

1. The Petitioners, who are the employees of the Respondent No. 6 – Management are before us making a grievance that their salaries are not being paid because the Respondent No. 6 has not received grant from the State Government.
2. Issue notice to the Respondent No. 6, returnable on 18 June 2024.
3. That the grant is not received from the State Government cannot be the reason for the Respondent No. 6 not to pay the salary as due to the Petitioners. Being the primary employer, the Respondent No. 6 shall commence payment of the salary to the Petitioners, if they are working as on date, from 1 April 2024 onwards. As regards the arrears are

concerned, this aspect would be considered on the next date. The Respondent No. 6 will not terminate the services of the Petitioners without seeking leave of this Court.

4. It is open to the Respondent No. 6 to either join as a co-Petitioner or file independent Petition as regards the grants payable to the Respondent No. 6.

5. Stand over to **18 June 2024**.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)