

ITEM NO.4

COURT NO.7

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. 3 in

Petition(s) for Special Leave to Appeal (C) No(s). 9819/2012

(Arising out of impugned final judgment and order dated 07/02/2012
in WP No. 2335/2011 passed by the High Court Of Bombay)

BOMBAY MUN. CORP. & ORS.

Petitioner(s)

VERSUS

BHAGWAN MAHADEO SATHE

Respondent(s)

(for clarification of court's order and office report)

Date : 30/07/2014 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s)

Mr. Pallav Shishodia, Sr.Adv.
Mr. J. Xavier, Adv.
Mr. S. Sukumaran, Adv.
Mr. Anand Sukumar, Adv.
Ms. Meera Mathur ,Adv.

For Respondent(s)

Mr. Rajul Jain, Adv.
Mr. Shivaji M. Jadhav ,Adv.

UPON hearing the counsel the Court made the following
O R D E R

This is an application for clarification of this Court's

order dated 6th September, 2012.

This Court has clearly directed

that the respondent, Bhagwan Mahadeo Sathe, would be entitled to

Signature Not Verified

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25% of back wages for the period commencing 15 th June, 2007 to 28th

Usha Rani Bhardwaj

Date: 2014.07.31

16:39:23 IST

Reason:

April, 2011.

It is submitted by Mr. Pallav Shishodia learned senior

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counsel appearing for the petitioner that the respondent employee

is claiming full back wages for the period of suspension.

It is

not disputed by the respondent that he was put under suspension

in

view of the criminal proceedings initiated under the Prevention of
Corruption Act, 1988. We have been apprised at the Bar that the
employee is insisting for the full wages of the said period.
However, the employer had already treated the said period as
suspension. We do not find any error in that. Therefore, we
clarify, that the respondent shall be entitled only to the amount
that has been directed to be paid by this Court for the period i.e.
15.06.2007 to 28.04.2011.

I.A. No.3 is disposed of accordingly.

(USHA BHARDWAJ)
AR-CUM-PS

(RENUKA SADANA)
(COURT MASTER)