

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Writ Petition No. 1821 of 2015

Devanand s/o. Ashokrao Chitral,
Age : 40 years,
Occupation : Service,
R/o. Plot No. 51, Pitti Nagar,
In front of Mondha, Jalna-Beed Road,
Ambad, Taluka : Ambad,
District : Jalna.

.. Petitioner.

versus

1. The State of Maharashtra,
Through Project Director,
Maharashtra Prathamik Parishad,
Mumbai.
2. The Chief Executive Officer,
Zilla Parishad, Jalna,
District : Jalna.
3. The Education Officer (Primary),
Zilla Parishad, Jalna,
District : Jalna.
4. The Block Education Officer,
Panchayat Samiti, Ambad,
Taluka : Ambad,
District : Jalna.

.. Respondents.

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Mr. Swapnil A. Deshmukh, Advocate, for the petitioner.

*Mr. S.K. Kadam, Assistant Government Pleader, for
respondent no.1.*

Mr. S.S. Tope, Advocate, for respondent nos.2 to 4.

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 31ST AUGUST 2015

ORAL ORDER (Per S.S. Shinde, J.) :

1. Heard learned Counsel for respective parties.

2. This petition is filed with following prayer :

[B] By issuance of writ of mandamus or any other writ, order or directions in the like nature, the impugned communication Letter dated 30-7-2014 bearing Outward No. Sa.Shi.Abhi/Z.P./Est./2014-15/1288, may kindly be quashed and set aside and direct to the respondents to pay the honorarium to the petitioner as Sadhan Vyakti for the period April 2013 to June 2013 with interest.

3. The learned Counsel appearing for respondent nos.2 to 4 invited our attention to the letter dated 30th July 2014, issued by the Education Officer (Primary), Zilla Parishad, Jalna, addressed to the petitioner, and submits that as a matter of fact, for the period from April 2013 to June 2013, the petitioner has not worked.

4. Upon perusal of the prayer in the petition and annexure Exhibit "D" at page 15, the petition raises disputed questions of facts,

inasmuch as, there is dispute whether the petitioner has worked for the said period, or not.

5. In the result, the petition is rejected. However, the petitioner shall be at liberty to take such other steps as are available in law.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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