

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

WRIT PETITION NO. 2402 OF 2003

BHUJANG VITHALRAO LONE
VERSUS
STATE OF MAHA & ORS

...
Advocate for Petitioner : Smt. Maya R Jamadhade
AGP for Respondents: Mr. S.R.Palnitkar
Advocate for Respondent 4 :Mr. M V Deshpande

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CORAM : A.V. NIRGUDE & V.K. JADHAV, JJ.
Dated: March 11, 2015

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PER COURT :-

1. At interim stage, following order was passed :-

“(1) Heard learned Advocate for the petitioners.

(2). Rule.

(3). The petitioner in Writ Petition No. 2402/2003 is a Sweeper, while the petitioner in Writ Petition No. 2419/2003 is a Watchman. They were appointed as per the norms of the Government, on approved post; their services were approved, and their salary was also being paid. However, as a result of Government Resolution dated 11-9-2000, the Government has placed the responsibility of paying salary on the Management and the Management is not making the payment.

(3) We have considered this aspect in Writ Petition No. 2557/2002 and we have already granted interim relief to the extent of that petitioner. However, we find that the present petitioner is also similarly situated with the petitioner in Writ Petition No. 2557/2002. It is further

disclosed that the present petitioners have not been paid salary since March 2000. Therefore, we are inclined to grant interim relief, till the final disposal of these petitions, in the same terms.

(4) Hence, we grant interim relief in the following terms:

The Government Resolution dated 11-9-2000 issued by the Social Welfare, cultural Affairs and Sports, is hereby stayed to the extent of the present petitioners. The respondent nos. 1 and 2 are further directed that on presentation of bills by the respondent nos. 3 and 4, the pay and salary of the petitioners shall be released for the period it has remained unpaid. We further direct that the respondents shall continue to pay the salary of the petitioners till the final disposal of these petitions.”

2. Despite of this order, no reply to oppose the petition, is filed. This indicates that, respondents do not want to challenge the observations made by this Court in interim order.

3. Writ Petition stands allowed in terms of interim order.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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aaa/-