

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

Writ Petition No. 7409 of 2014

Shantabai w/o. Kalappa Mankari,
Age : 47 years,
Occupation : Nil,
R/o. Vazar, Taluka : Degloor,
District : Nanded.

.. Petitioner.

versus

1. The State of Maharashtra,
(Through Principal Secretary,
Social Justice Department,
The State of Maharashtra,
Mantralaya, Mumbai.
2. The Commissioner for Disabled Persons,
Maharashtra State, Pune.
3. The Social Welfare Officer (Group-A),
Zilla Parishad, Parbhani.
4. Dr. Milind Kanhekar,
Age : 55 years,
Occupation : Medical Practitioner
& President, Swatantrya Sainik Kai.
Ramrao Kanhekar (Residential) Dumb
& Deaf Vidyalaya run Renuka Shikshan
Prasarak Mandal, R/o. Guru Krupa, 6,
Shastri Nagar, Behind Govt. Civil
General Hospital, Parbhani.
5. The I/c. Head Master,
Swatantraya Sainik Kai.
Ramrao Kanhekar (Residential) Dumb
& Deaf Vidyalaya run Renuka Shikshan
Prasarak Mandal,
Opp. Bharose Petrol Pump,
Takali (Khurd), Jintur Road, Parbhani.

6. The District Social Welfare Officer
(Group-A), Zilla Parishad,
Jalgaon.

7. The Head Master,
Utkarsha Matimand Vidyalaya,
Jalgaon.

.. Respondents.

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Ms. Ujjwal Agrawal, Advocate, for the petitioner.

*Mr. V.H. Dighe, Assistant Government Pleader, for
respondent nos.1 and 2.*

Respondent nos.3 and 5 served (Absent).

Mr. M.P. Kale, Advocate, for respondent no.4.

Respondent nos.6 and 7 served (Absent).

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

**Date of reserving
the Order : 29th October 2015.**

**Date of pronouncing
the Order : 30th October 2015.**

COURT'S ORDER (Per A.M. Badar, J.) :

1. By this petition, petitioner who rendered jobless because of abolition of post due to closure of Kai. Rangoji Ghate Orthopedic handicap Residential School, Hanegaon (Taluka : Degloor, District :

Nanded) where she was serving as 'Molkarin', by this petition is praying for directing respondents - State Authorities to execute and comply the order dated 22-5-2014, passed by respondent no.2 - Commissioner, Handicap Welfare, Maharashtra State, Pune (Exhibit "D" - Page 24) by allowing her to join services in IV Cadre with respondent no.5 - Swatantraya Sainik Kai. Ramrao Kanhekar (Residential) Dumb & Deaf School at Parbhani. She is further praying for directing respondent - State Authorities to release her salary from June 2014 as she was ready to join the school where her absorption was made by State Authorities.

2. Brief facts leading to the institution of petition, as narrated by the learned Counsel for the petitioner, are thus :

(a) Petitioner - Shantabai w/o. Kalappa Mankari was serving as 'Molkarin' with Kai. Rangoji Ghate Orthopedic Handicap Residential School, Hanegaon. She was an approved employee of that school. As respondent no.2 - Commissioner, Handicap Welfare, Maharashtra State, Pune, cancelled the registration certificate of the said school with effect from 20-11-2000, the petitioner became terminated employee of that school.

(b) It is case of the petitioner, that it was obligatory on the part of respondents - State Authorities to absorb the petitioner in newly opened special schools after enlisting her name in the waiting list of terminated employees. It was obligatory on the part of management of newly opened aided schools or the schools which are allowed to open additional divisions or classes to absorb the petitioner on recommendation of

respondents - State Authorities. As despite several visits and representation of the petitioner, no action was taken by respondent no.2 - Commissioner for Handicap Welfare, for recommending name of the petitioner for absorption, she was constrained to file Writ Petition bearing No. 10109 of 2012. That Writ Petition came to be disposed of on 24-2-2014 by Division Bench of this Court with following directions :-

" In view of above, this petition needs to be disposed of by issuing directions to Respondents Nos.1 and 2 to take steps for absorption of the petitioner on the post equivalent or similar to the post of Molkarin occupied by the petitioner prior to her declaration as surplus employee, as expeditiously as possible, preferably within a period of three months from today. Respondents are directed to issue necessary orders within the time stipulated above. "

Thus, respondents - State Authorities were directed to take steps for absorption of the petitioner on the post equivalent or similar to the post of Molkarin, as expeditiously as possible and preferably with a period of three months from 24-2-2014.

3. According to the petitioner, in pursuant to the directions of this Court, respondent no.2 - Commissioner for Handicap Welfare vide order dated 22-5-2014, (Exhibit "D" - Page 24) recommended name of the petitioner to respondent no.5 - Swatantraya Sainik Kai. Ramrao Kanhekar

(Residential) Dumb & Deaf School at Parbhani. The management of that special school was directed by respondent no.2 to absorb the petitioner on the post of Care Taker. According to the petitioner, on 19-6-2014, she immediately reported the said school and submitted joining report (Exhibit "E" - Page 26). The petitioner further submitted an application dated 19-6-2014 to the Director of that school with a prayer to help her in getting joined as Head Master of that school refused to get her joined as Care Taker. The petitioner reported to District Social Welfare Officer vide her communication dated 19-6-2014, that despite directions of this Court and order dated 22-5-2014 of respondent no.2 - Commissioner for Handicap Welfare, the Head Master and the Director of respondent no.5 - School at Parbhani did not allow her to join services as Care Taker. According to the petitioner, District Social Welfare Officer vide communication dated 20-6-2014 (Exhibit "G") communicated the Head Master of respondent no.5 - School at Parbhani to allow the petitioner to join the said school as Care Taker. It is case of the petitioner, that she was never allowed to join as Care Taker by the Head Master and Director of respondent no.5 - School at Parbhani.

4. Further developments are brought on record by the petitioner by filing affidavit by contending that respondent no.2 - Commissioner of Handicap Welfare issued another order on 14-7-2014 (Exhibit "J" - Page 48) and thereby directed respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon, to absorb the petitioner on the post of Care Taker, she being terminated employee of closed special school. The petitioner went to Utkarsha Matimand Vidyalaya by informing respondent no.6 - District Social Welfare Officer vide communication dated 27-1-2005 (Page 51 of

the petition). The petitioner submitted joining report (Exhibit "K" - Page 53) to the President as well as Head Master of Utkarsha Matimand Vidyalaya, Jalgaon. on 28-1-2015 and offered herself for joining the post of Care Taker in that school. However, even respondent no.7's school at Jalgaon did not allow the petitioner to join the post of Care Taker. The petitioner immediately on 28-1-2015 itself (Exhibit "L" - Page 55) informed the President as well as Head Master of Utkarsha Matimand Vidyalaya, Jalgaon, that despite her efforts to join the post of Care Taker, she was not allowed by them to join and she being a single lady unable to bear expenses of residing in hotel, she is returning to her house. The petitioner further mentioned her address in that communication at Exhibit "L" and requested the School at Jalgaon (Respondent No.7) to communicate her on the said address for allowing her to join the post of Care Taker. According to the petitioner, she is still waiting for absorption in anticipation of exercise of powers by respondent no.2 - Commissioner for Handicap Welfare in getting her joined in respondent no.7 - School at Jalgaon. The petitioner contended that she is expecting deterrent action against the management of the school for not obeying the directions of this Court as well as that of respondent no.2. With these averments, the petitioner is praying for a direction to respondent no.2 - Commissioner for Handicap Welfare to comply the order of her absorption and to release her salary from June 2014.

5. The petition came to be opposed by respondent no.4 - Swatantraya Sainik Kai. Ramrao Kanhekar (Residential) Dumb & Deaf School at Parbhani by filing reply affidavit. According to the School at Parbhani, it is incumbent on the part of the said School to observe 100

Point roster while filling in the vacant posts. The post of which the petitioner was directed to be absorbed was reserved for Scheduled Caste and the school had already appointed one Shri D.P. Prakashrao - candidate belonging to Scheduled Caste on the said post. Therefore, according to respondent no.4, the petitioner could not be allowed to be joined at respondent no.5 - School at Parbhani.

6. Respondent nos.1 and 2 - the State as well as Commissioner for Handicap Welfare opposed the petition by filing affidavits dated 30-4-2015 and 9-10-2015, sworn by one Smt. Prachi Arjun Waje, District Social Welfare Officer. As interested stand is taken in the said affidavits, it is apposite to re-produce paras 3 and 4 of reply affidavit dated 30-4-2015. They read thus :-

(3) With reference to para No.4 (b & c) of the Writ Petition it is submitted that, contents in these paras are also reflected in earlier petition No. 10109/2012. By way of this pleading, the petitioner seeking sympathy of the Hon'ble Court. It is submitted that vide order dated 22-5-2014, the Respondent has already complied with the directions dated 24-2-2014 issued by the Hon'ble Court in Writ Petition No. 10109/2012.

(4) It is submitted that the Petitioner was working and duly approved employee on the post of '*Molkarin*' in her earlier school, prior to her retrenchment. As per the directions in aforesaid Writ Petitions, the petitioner's name is already taken on list at Sr.No.378 in cadre of '*Molkarin*' from open category. However, due to abolition of earlier Staffing Pattern the post '*Molkarin*' is rendered surplus

vide Government Resolution dated 18-8-2004. As the said post is abolished, in para No.3 of the said Government Resolution. It is submitted that as stated above due to lapse of post of '*Molkarin*', an absorption of the Petitioner could not be effected in same pay scale, cadre, reservation on the same post of '*Molkarin*'. Therefore, after verifying other posts, which are similar to the post of '*Molkarin*' on account of same pay scale, an absorption vide order dated 22-5-2014 was took place.

7. Thus, an attempt is being made by the respondents - State Authorities to show that order of this Court in Writ Petition No. 10109/2012, dated 24-2-2014, directing absorption of the petitioner, preferably within three months from that date, is complied by them by issuing order dated 22-5-2014 of absorbing the petitioner in respondent no.5 - School at Parbhani.

8. Respondent nos.1 and 2 further contended in their reply affidavit dated 30-4-2015, that subsequently it was found that the post of Care Taker in respondent no.5 - School at Parbhani was reserved for backward class and, therefore, they were unable to compel respondent nos.4 and 5 - School at Parbhani to allow the petitioner to resume her duties on the post of Care Taker in the School at Parbhani. Hence, vide order dated 14-7-2014 (Exhibit "J" - Page 48) order absorbing the petitioner in the School at Parbhani was cancelled and another order of absorbing her in Utkarsha Matimand Vidyalaya, Jalgaon, on the post of Care Taker was issued. In reply to the averments of the petitioner, that she attempted to join services in the school where she was directed to be absorbed but management of such schools refuses absorption of such

employees, respondents - State Authorities contended in their reply affidavit, that 'the petitioner be called upon to prove the said allegations beyond reasonable doubt'. It is further contended that respondent no.2 has made bona fide effort to absorb thousands of retrenched employees from the waiting list but the petitioner has neither approached the office of the deponent for resuming her duty nor she submitted any representation. Therefore, according to the respondents, the petitioner herself is at fault for not resuming her duties on respective posts. In para 12 of the reply affidavit dated 30-4-2015, respondent nos.1 and 2 contended that if the petitioner is ready and willing to resume her duties in respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon, the deponent is ready and willing to give administrative approval to her services in the said school.

9. In another affidavit in reply sworn on 9-10-2015, respondent nos.1 and 2 have again come up with a surprising stand by contending that the Government has enacted the Special School Code, 1997, for the purpose of regulating service conditions of the employees working in the special schools and therefore provisions of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 **[For short, hereinafter referred to as "MEPS Act"]** and Rules made thereunder may not be applicable to the petitioner's case. By relying on some judgments of this Court and the Government Resolution dated 27-1-2014, the respondents - State Authorities contended that the decision in respect of absorption of the petitioner will be taken in routine by respondent no.2, as per seniority of the petitioner in the waiting list, but time frame for this compliance may not be determined as there are senior employees than the petitioner who are waiting absorption. By this reply affidavit dated 9-10-

2015, the respondents - State Authorities have submitted that the petitioner had actually joined her duty on 15-5-2015 in pursuant to the absorption order dated 14-7-2014 and thereafter she become entitled for salary.

10. We heard the learned Counsel appearing for the petitioner who vehemently argued that as the petitioner is directed to absorbed initially in the School at Parbhani and subsequently in the School at Jalgaon and as she offered herself for joining the post of Care Taker in both these Schools by repeatedly attending those Schools and communicating with the management as well as State Authorities, the petitioner needs to be paid salary and respondent no.2 be directed to implement and execute its own order directing absorption of the petitioner.

11. The learned Assistant Government Pleader relying on affidavits in reply, contended that the provisions of the MEPS Act are not applicable to the special schools meant for handicap students and the petitioner is not entitled for any relief as her case is covered by Government Resolution dated 27th January 2004. She is not entitled for salary for the period prior to her joining.

12. By order dated 8-5-2015, this Court recorded statement of Social Welfare Officer, Jalgaon, that the petitioner will be permitted to join the post as Care Taker with respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon, as well as that of the learned Counsel for the petitioner, that the petitioner will attend the office of Social Welfare Officer, Jalgaon, and will join respondent no.7 - School at Jalgaon on 14th May 2015. Reply affidavit of respondent - State Authorities shows that

ultimately the petitioner actually joined her duty with respondent no.7 - School at Jalgaon on 15-5-2015.

13. With the assistance of the learned Counsel for both the parties, we have carefully perused the petition, annexures thereto, replies filed by respondents as well as annexures thereto.

14. The short question which falls for consideration in this petition is, whether the employee of special school terminated on account of abolition of post due to closure of special school is entitled for absorption in other special school and whether on refusal by the school where such employee is directed to be absorbed, coupled with inaction on the part of State Authorities to see that such employee is permitted to be joined in such special school; whether such employee becomes entitled for salary from the date of order of absorption, apart from right to get such order of absorption executed.

15. At the outset, let us examine merits of the submissions of the learned Assistant Government Pleader, that the instant case is covered by Special School Code, 1977 and the provisions of the MEPS Act as well as the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Rules, 1981 [**For short, hereinafter referred to as “MEPS Rules”**] are not applicable to it. We have carefully perused the Special School Code issued by the Social Welfare, Cultural Affairs and Sports Department of Maharashtra State. Rule 63 thereof is relevant. Rule 63(1) of the Standard Code applicable to the special schools states that the service conditions as provided in the MEPS Act and Rules made

thereunder are applicable to the employees of special schools meant for handicap employees. This makes it clear that the provisions of MEPS Act and Rules made thereunder so far as they governs service conditions are applicable to the employees of the special schools. Rather respondents - State Authorities ought not to have raised such contention in reply affidavit when the order dated 22-5-2014 (Exhibit "D") issued by respondent no.2 - Commissioner for Handicap Welfare of which implementation is sought by the petitioner and particularly para 3 thereof makes a reference to the judgment of this Court on this aspect. This order is also issued in pursuant to the provisions of Rule 25A of the MEPS Rules.

16. Now, let us see what is the provision regarding absorption of employees terminated on account of abolition of post. Rule 25A of the MEPS Rules governs this aspect and it reads thus :-

25A. Termination of Service on account of abolition of posts.

(1) The Services of permanent employee may be terminated by the Management on account of abolition of posts due to closure of the school after giving him advance intimation of three months to the effect that in the event of closure of the school, his services shall automatically stand terminated. In the case of closure of school due to de-recognition, such advance intimation of three months shall be given by the Management to the permanent employees after receipt of a show cause notice from the Deputy Director.

Explanation — For the purpose of this sub-rule, the expression 'closure of the school' shall include—

- (i) Voluntary closure by the Management of the entire school if it is imparting instruction through one medium or a part of the school comprising one or more media of instruction if it is imparting instruction through more than one medium; and
- (ii) closure of the school due to de-recognition by the Department.

(2) The names of the employees in aided schools, whose services stand terminated in accordance with sub-rule (1) on account of de-recognition and who are not directly responsible for such de-recognition shall be taken on a waiting list by the Education Officer in the case of Primary and Secondary Schools or by the Deputy Director in the case of Higher Secondary Schools and Junior College of Education and same shall be recommended by him to the Managements of newly opened aided Schools or of the existing aided schools which are allowed to open additional Division or classes for consideration.

17. Bare reading of this Rule makes it clear that it takes care of contingencies having a permanent nature. The employees covered under this Rule are employees who are permanently retrenched because of closure of the school. The school which suffers closure cannot be reopened and there is no occasion for such employees to get themselves repatriated in their parent school. In such situation, Sub-Rule 2 of Rule 25A of the MEPS Rules mandates the authorities to take such terminated employees on a waiting list for absorption in newly opened schools or in additional divisions or classes of already existing schools.

18. In the case at hand, resorting to the provisions of Rule 25A of the MEPS Rules, respondent no.2 - Commissioner for Handicap Welfare had directed absorption of the petitioner in respondent no.5 - Swatantraya Sainik Kai. Ramrao Kanhekar (Residential) Dumb & Deaf School at

Parbhani and perusal of that order dated 22-5-2014 shows that the District Social Welfare Officer of the Zilla Parishad was directed by the said order to release salary of the petitioner on joining the post of Care Taker in respondent - School. This order dated 22-5-2014 contains reference of order dated 24-2-2014 of this Court passed in Writ Petition No. 10109 of 2012 filed by the petitioner whereby respondents - State Authorities were directed to absorb the petitioner within three months. As such, it was bounden duty of the respondents - State Authorities to see that order passed by respondent no.2 dated 22-5-2014 is complied in its true letter and spirit. The documents placed on record and particularly letter dated 19-6-2014 of the petitioner addressed to the Director and Head Master of respondent no.5 - School at Parbhani shows that she, in fact, made every attempt to join the said school. Not only that, on 19-6-2014 itself, the petitioner addressed a letter to District Social Welfare Officer, which is at Exhibit "F" to the petition. This letter bears endorsement of its receipt by the said authority. By this letter, the petitioner prayed District Social Welfare Officer, that necessary cooperation be extended to her in order to enable her to join respondent no.5 - School at Parbhani as the authorities from that school are refusing to allow her to join the post of Care Taker in pursuant to order dated 22-5-2014 of respondent no.2 - Commissioner for Handicap Welfare. In the wake of this factual position, respondents - State Authorities are not justified in contending that the petitioner never approached them nor represented them for seeking help in joining duty at the school where she was absorbed. Such contention in reply affidavit is contrary to record. Ultimately it was found that no post was available with respondent no.5 - School for getting the petitioner joined. Reply affidavit makes it clear that the said post was for a candidate belonging to

Scheduled Caste category. As such, it appears that in order to make a show of compliance of order dated 24-2-2014 in Writ Petition No. 10109 of 2012, in a casual manner, without ascertaining the facts, the absorption order of the petitioner in respondent no.5 - School at Parbhani was issued on 22-5-2014.

19. Stand taken by the respondents - State Authorities makes it clear that after cancellation of first absorption order dated 22-5-2014, another absorption order dated 14-7-2014 (Exhibit "J"), directing absorption of the petitioner at Utkarsha Matimand Vidyalaya, Jalgaon, came to be issued. At this time also, the petitioner addressed a communication dated 27-1-2015 (Page 51 of the petition) to District Social Welfare Officer (who sworn the reply affidavit dated 30-4-2015) and informed the said office that she is approaching respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon, for joining the post of Care Taker on 14-7-2014. Duly sworn testimony of the petitioner reveals that she, in fact, visited said school on 28-1-2015 and submitted joining report which placed on record at Exhibit "K" at page 53. The affidavit of the petitioner further shows that even respondent no.7 - School did not allow her to join duty and, therefore, she made a record of this refusal by submitting an application dated 28-1-2015 (Exhibit "L") to the President and Head Master of said Utkarsha Matimand Vidyalaya, Jalgaon. It is thus clear that the petitioner attempted to join the school by making every possible efforts and even by intimating respondents - State Authorities. However, she was neither allowed to be joined at respondent no.5 - School at Parbhani or respondent no.7 - School at Jalgaon. On this backdrop, we need to note that though the petitioner was directed to be absorbed, apparently

considering her seniority, respondent nos.1 and 2 are taking inconsistent stand in reply affidavit sworn on 9-10-2015 by contending that the decision of absorption of the petitioner will be taken in routine by respondent no.2 as per seniority as there are senior employees awaiting absorption. Such contention is contrary to the record in the wake of action taken by respondent no.2 in absorbing the petitioner in the Schools at Parbhani and at Jalgaon.

20. The order dated 14-7-2014 (Exhibit "J") directing absorption of the petitioner in Utkarsha Matimand Vidyalaya, Jalgaon, categorically gives warning to the management of the said School that if the petitioner is not allowed to join, then its certificate of registration shall be cancelled. That order further directs that on joining of the petitioner, her salary will be released after getting signature of the concerned officer on her last pay certificate. As already held by us, despite attempts made by the petitioner to join initially in respondent no.5 - School at Parbhani and subsequently in respondent no.7 - School at Jalgaon, she was neither allowed by the management to join those schools nor respondents - State Authorities have taken any efforts to get her joined in any of those schools. In the wake of order of this Court in Writ Petition No. 10109 of 2012, dated 24-2-2014, such casual attitude of the respondents - State Authorities cannot be countenance. Respondents - State Authorities ought to have shown responsible attitude by getting the petitioner joined as per directions contained in order dated 24-2-2014 in Writ Petition No. 10109 of 2012. We are at pains to note that only farse of compliance of order of this Court is made by issuing paper orders directing absorption of the petitioner without any sincere efforts to get those orders implemented. Respondent

no.2 - Commissioner for Handicap Welfare, who is signatory to such order of absorption of the petitioner issued for complying order of this Court, was duty bound to get those orders complied. However, it seems that no such care was taken either by the Commissioner for Handicap Welfare or by the officer at District level i.e. respondent no.6 - District Social Welfare Officer.

21. Be that as it may, Rule 25A of the MEPS Rules which governs the instant case, mandates taking the terminated employees on waiting list and their subsequent absorption in the newly opened schools or in schools where additional divisions or classes are sanctioned. Respondents - State Authorities have half heartedly complied provisions of these Rules by merely issuing paper orders of absorption without any efforts, much less, sincere efforts to get those orders implemented. First order of absorption of the petitioner issued on 22-5-2014 was cancelled on the ground that the said post was reserved for a candidate belonging to Scheduled Caste and subsequent order of absorption of the petitioner came to be issued on 14-7-2014 (Exhibit "J"). Even this order is not yet complied though the petitioner has offered herself for absorption by submitting joining report at respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon, on 28-1-2015, with prior intimation of respondent no.6 - District Social Welfare Officer and by endorsing copy of the said letter to respondent no.2 - Commissioner for Handicap Welfare, Maharashtra State, Pune.

22. During pendency of this petition, the order dated 14-7-2014 is ultimately complied by State Authorities and the petitioner joined

Respondent No.7 at Jalgaon on 15-5-2015. As the petitioner has discharged her obligation of offering herself to join the post of Care Taker in the said School at Jalgaon and as for her no fault she is not allowed to be joined in the said School, respondents - State Authorities needs to be directed to release her salary of the post of Care Taker, at least, from 28-1-2015 when she offered herself for joining at respondent no.7 - School. This is so because the post was not available in the School at Parbhani where the petitioner was directed to be absorbed earlier.

23. Respondents have placed reliance on Government Resolution dated 27th January 2004. But the case of the petitioner is not covered by the said Government Resolution as the contingency of not permitting the terminated employee to join at the school where he is absorbed is not covered by this Government Resolution. Judgments of Division Bench of this Court relied upon by respondent nos.1 and 2, in Writ Petition No. 5303 of 2014 (*Shri Sawant Pandurang Dattatraya & another Vs. The State of Maharashtra & others*), dated 16th February 2015 and in Writ Petition No. 4305 of 2014 (*Chandrama Milind Bhatkar & others Vs. The Secretary, Ministry of VJNT, OBC & SBC Welfare, Maharashtra State, Mumbai & others*), dated 27th January 2015, at Principal Bench of this Court, are not applicable to the present case as the petitioners therein were kept in the waiting list for absorption and as they were not absorbed, they were found to be entitled for salary.

24. Hence, Respondents - State Authorities are directed to release salary of the petitioner for the post of Care Taker from 28-1-2015 to 14-5-2015 as despite attempt of the petitioner to resume duty from that date, she

was not allowed to join by respondent no.7 - Utkarsha Matimand Vidyalaya, Jalgaon. These arrears of salary be paid to the petitioner within a period three months from today.

25. The petition is disposed of in the above terms.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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