

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

WRIT PETITION NO. 9261 OF 2014

THE MAHARASHTRA STATE NATIONALIST TEACHERS
UNION, LATUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Tripathi Manish P.
AGP for Respondent/State : Mr. G.R. Ingole
Advocate for Respondent nos.3 and 4 : Mr. Bondar U.B.

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: April 06, 2015

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PER COURT :-

Heard.

2. In the first place, we do not approve filing of the Petition and the common prayer therein on behalf of number of surplus teachers. The grievances raised are individual grievances, and therefore, we disapprove filing of common Petition for redressal of individual grievances.

3. Even if clause (6) of the Circular dated 14th

July, 2014 issued by School Education and Sports Department, Maharashtra State is read as it is, and harmoniously with the other part of the circular, it gives rider that, no payment can be directed, unless there is approval for the appointment by the respondent Authorities. Therefore, if harmonious construction/interpretation is given to clause (6), in that case in respect of payment of surplus teachers appointed over and above requisite sanctioned strength, it should not be disbursed unless the approval is granted by the Competent Authority. We do not see any reason to entertain the Petition, in the light of discussion hereinabove. The Petition sans merits, hence rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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