

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8984 OF 2011

GAJANAN KRISHNA MANKAR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Petitioner : Salgare Vitthal G.
AGP for Respondents State: Mr.K.G.Patil
Adv. Mr.Dhage Vivek J. And D A Karnik For R/3

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**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA,JJ.
DATE : 3rd February, 2015.**

P.C. :

Mr.Salgare, learned counsel submits that inspite of order passed by School Tribunal, the Education Officer has not implemented the said order for almost four years. According to the learned counsel, School Tribunal had specifically given directions to the Education Officer.

2] We have heard Mr.Tele, learned counsel, learned AGP and Mr.Dhage, counsel for respondents.

3] It is not disputed that the order passed by School Tribunal dated 2/4/2011 in Misc.Application No.16/10 is not assailed by any party. As per the said order, non-applicant no.4 in the said Misc. Application which according to the petitioner is the Education Officer, is directed to pay the arrears of the pay and

allowances to the applicant for the period 30/4/2007 to 30/9/2009 directly and deduct the same from the grants receivable by non-applicant nos.1,2 and 3 therein that is the institution.

4] The order passed by the School Tribunal in Misc.Application No.16/11 reads as under :

“1] Application is partly allowed.

2] The NA-4 is hereby directed to pay the arrears of pay and allowances to the applicant to from for the period onward 30/4/2007 dt. 30/9/2009 directly and deduct the same from the grant in and receivable by NA 1,2,3.

3] No order as to costs.”

5] The said order has become final as is not assailed by any party. In light of that, it was incumbent upon the Education Officer i.e. non-applicant no.4 therein to implement the said order. Naturally, it has been given the right to deduct the same from the grants receivable by the institution. It is almost four years said order is passed and the petitioner has not been given benefits of the said order.

6] In light of above, the Education Officer i.e. respondent no.2 herein shall take steps and implement the said order dated

2/4/2011 expeditiously and preferably within four months from the date of this order. Writ Petition is accordingly disposed of, No costs.

V.L.ACHLIYA,J.

S.V.GANGAPURWALA,J.

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