

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO. 4087 OF 2014

Shri Motiram Murlidhar Pawase

....Petitioner.

Vs.

The State of Maharashtra & Ors.

....Respondents.

Ms. Pranita P. Hingmire for the Petitioner.

Ms. Sushama S. Bhende, AGP for Respondent Nos. 1 and 2.

CORAM : ANOOP V. MOHTA AND

K.R. SHRIRAM, JJ.

DATE : 31 MARCH 2015.

P.C.:-

Rule, returnable forthwith.

Heard finally, by consent of the parties.

2 Both the learned counsel appearing for the parties make statement that the Petitioner's case is covered by the orders passed by this Court in Ms. Sandhya Laxman Ghosalkar Vs. The State of Maharashtra (Writ Petition No. 5258 of 2012 and Others) dated 12 September 2012 and Ms. Rupali Maruti Shingte & Anr. Vs. The State of

Maharashtra (Writ Petition No. 9173 of 2013 and others) dated 18 February 2014, therefore, we are inclined to dispose of the present Writ Petition on the same line and for the same reasons, as the Petitioner was appointed as Assistant Teacher in unaided school on 7 June 2005. On 17 February 2007, the Education Officer granted approval to the above appointment in the prescribed pay-scale. The Petitioner's name is appeared in the Management's seniority list, accordingly.

3 By order dated 26 November 2013, the Petitioner was transferred from unaided school to aided school. There is no break in service. Respondent No.2-the Education Officer, however, on 4 March 2014 not granted approval to the appointment of Petitioner as “*full time Assistant Teacher*” in the prescribed pay-scale.

4 Therefore, as the Petitioner has been working as “*Assistant Teacher*” since 2005, he is entitled for the pay-scale in accordance with law, including the requisite salary and all benefits as “*Full Time Assistant Teacher*”.

5 Therefore, in view of above, Writ Petition is allowed in
terms of prayer clauses (a) and (b).

6 There shall be no order as to costs.

7 The parties to act on an authenticated copy of this order.

(K.R. SHRIRAM, J.)

(ANOOP V. MOHTA, J.)