

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5999 OF 2014

Mrs. Thonge S.N. And ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 2969 OF 2015

Head Master, Sharadchandraji Pwar
Vidyalaya, Bavi nd ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 2970 OF 2015

Head Master, Kauthali Vidyalay and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 2971 OF 2015

Head Master, Kasari Vidyalaya and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 2972 OF 2015

Head Master, ADV. Deeliprao Sopal
Vidyalaya and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 2973 OF 2015

Head Master, Mungshi Vidyalaya and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 6070 OF 2014

Shri Patil S.S. and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 6071 OF 2014

Shri Jadhav D.A. and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH

WRIT PETITION NO. 6072 OF 2014

Shri Bhad S. P. and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

ALONG WITH
WRIT PETITION NO. 6073 OF 2014

Shri Gaikwad M. N. and ors. Petitioners
vs
State of Maharashtra, through Secretary
Education Dept and anr. Respondents

Mr. V. S. Deokar with Mrs. Ujawala V. Karpe and Meenal S. Deshmukh for the petitioners in all matters.

Mr. C.P. Yadav, AGP for respondents 1 and 2 in all matters.

**CORAM: ANOOP V. MOHTA AND
K. R. SHRIRAM, JJ.**

DATE : April 21, 2015

P.C.:

Since the issue involved in all these Petitions is common, the same are disposed of by this common order.

2 Rule. Rule is made returnable forthwith. Heard finally

by consent of parties.

3 Though directed and observed on 31.03.2015, Respondents are unable to defend the averments as well as prayers so made in the Petitions. Even otherwise, these are the case where, inspite of repeated orders passed by this Court, right from 23.01.2003, 17.8.2006, 7.9.2006, and 10.10.2006, the Respondents are not considering the case of Petitioners for grant of approval along with the salary, though the posts as stated to be duly sanctioned and the appointments are made by following the due procedure of law.

4 The learned counsel appearing for the Petitioners also made statement that all these Petitioners have been working even prior to 2003 and not getting their salaries, apart from other benefits available in view of above.

5 This Court has already recorded the conduct of Respondents in dealing with such matters. Issuance of contempt in such matters is not the solution so far as the Petitioners are concerned. Therefore, these are one of those cases in view of above

earlier orders by this Court and as such there is no contra material placed on record and no justification whatsoever for such denial, we are inclined to allow these Petitions in terms of prayers (b) and (c). However, we are granting liberty to the Respondents to apply for appropriate order and/or modification of the order.

6 All the writ petitions are allowed in terms of prayers (b) and (c) accordingly.

7 Rule is made absolute accordingly in all these petitions.

8 No costs.

(K. R. SHRIRAM, J.)

(ANOOP V. MOHTA, J.)