

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2451 OF 2015
IN
WRIT PETITION NO.5367 OF 2005**

Smt. Manisha Mohan Andhansare. ..Applicant.

IN THE MATTER OF

Parents Teachers Association and ors. ..Petitioner.

vs.

State of Maharashtra and others. ..Respondents.

Applicant present in person.

Mr. Sandip Phatak i/by A.L Gore for the Petitioner.

Mr. A.A. Garge for Respondent No.6.

Mr. P. G.Sawant , AGP. for Respondent State.

Mr. Chetan Kapadia, Mr. Darshit Jain, Mr. S. Vora and Mr. Atul Kshatriya for Respondent Nos. 8 to 12.

**CORAM : MOHIT S. SHAH, C.J. AND
G.S.KULKARNI, J.**

DATE : 03 SEPTEMBER 2015

PC:

The applicant has taken out this application for seeking clarification of the order dated 8 April 2015 and for directions.

2) Reply affidavit has been filed on behalf of the trustees of the Education Trust. We do not propose to go into the issues sought to be raised in the application. But, we do clarify that the order dated 8 April 2015 was passed to see that the Principal, Teaching and Non teaching staff of the school get immediate relief in respect of the amounts which are admitted by the school management or which the school management is in a position to pay immediately from the available funds. We did not intend to determine the amounts payable by the school management to the teaching and non teaching staff of the school. In case, the teaching and non teaching staff are not paid amounts due and payable to them as per the rules or they have any other grievance including compliance of the S.S. Code, rate of Dearness Allowance, Gratuity etc. it will be open to the applicant to make such representation to the respondent-school management within one week from today. After receiving the representation, the school management shall decide the same within three weeks. If the management agrees with the submissions of the applicant then the dispute will not survive. In case the management accepts some of the submissions and rejects the other submissions for reasons to be given therefor, the applicant will be at liberty to make a further representation to the Competent Authorities of Education Department within two weeks from the communication of the decision of the management. The Competent Authorities of the Education Department shall consider such representation and give

appropriate directions to the school management as expeditiously as possible and in any case within two months from the date of receipt of the representation. It goes without saying that the decision will be taken after giving opportunity of hearing to the applicant as well to the management.

3) Civil Application is disposed of.

(G.S.KULKARNI, J.)

(CHIEF JUSTICE)