

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 4362 of 2015

(Ku. Smita Ganpatrao Potdukhe and ors. Vs. State of Mah. through its
Secretary, Dept. of Education and Sports and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri M. P. Kariya, Advocate for the petitioners
Shri Shaikh Majid, Advocate for the respondent nos. 2 & 3
Ms. P. D. Rane, AGP for the respondent no. 1

**CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.**

DATE : 18-12-2015.

Heard.

By this petition, the petitioners seek a direction to the Chief Executive Officer, Zilla Parishad, Nagpur as well as the Director of Maharashtra Prathamik Shikshanik Parishad, Mumbai to release the salary of the petitioners for the period from June, 2013 to October, 2013.

Shri Majid, the learned counsel for the respondent nos. 2 and 3 states that the petitioners were not allotted the school in which they were required to serve during the said period from June, 2013 to October, 2013 and hence, the petitioners have not performed any work.

Shri Kariya, the learned counsel for the petitioners admits that the petitioners were not allowed to work though they were allotted the schools.

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Since there is a serious dispute whether the petitioners were allotted the school for the relevant period or not and since admittedly, the petitioners have not performed their duties during the said period, we are not inclined to grant the prayer made by the petitioners in exercise of writ jurisdiction.

In the result, the writ petition fails and is dismissed with no order as to costs.

JUDGE

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