

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

PUBLIC INTEREST LITIGATION NO.56/2011

(Datta Babanrao Borekar vs. State of Maharashtra and others)

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

Court's or Judge's order

Mrs. R.S. Sirpurkar, Adv.for petitioner

Mr. T.R.Kankale, Additional Govt. Pleader for respondent no.1-State

CORAM : SMT. VASANTI A. NAIK &
A.M. BADAR, JJ.

DATED : 10th April, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent-Zilla Parishad/Panchayat Samiti etc. to make an enquiry in the illegal grant of House Rent Allowance to the primary school teachers and other employees of the Zilla Parishad.

It is stated by the learned counsel for the petitioner that though some of the primary teachers are not residing in the places where they are required to reside, being the headquarters, they are receiving the House Rent Allowance. According to the petitioner, an enquiry needs to be made by the concerned respondents, in regard to the wrongful disbursement of the House Rent Allowance to the Primary School Teachers.

We are of the view that a public interest litigation would not lie in a service matter. The payment of House Rent Allowance to the primary school teachers of the Zilla Parishad is a condition of service of the employees working with the Zilla Parishad. We are unable to gauge the interest of the petitioner in filing the instant Public Interest Litigation.

The Public Interest Litigation is, therefore, disposed of,
with no order as to costs.

JUDGE

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